RANCHO SAN JUAN BAUTISTA

J. Kirk & Sons
Narvaez Rancho

Abstract of title

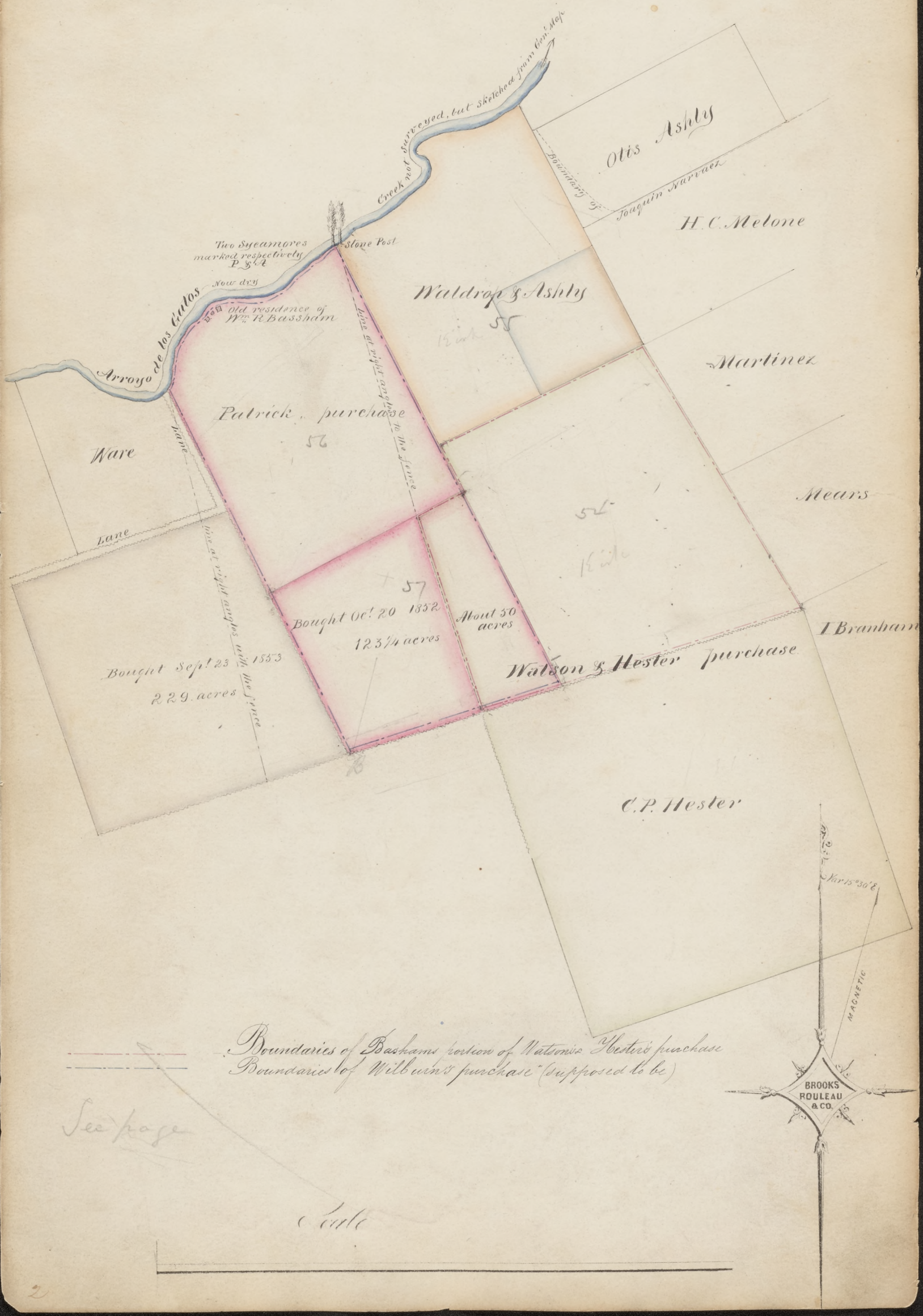
to that piece of land in the County of Santa Clara bounded & described as follows.

Commencing at a Sycamore tree Marked A thence running in an Easterly direction along the line of the land of Mary Jane Basham and a continuation of the same until it strikes the fence and runs 10 ft beyond the said fence being about 2500 varas, thence at right angles varying West parallel, with said fence & being 10 ft beyond said fence 1000 varas to a stake marked B, thence at right angles varying North in a Westerly direction about 1800 varas to the bank of the Arroyo de Los Gatos, thence down the same to the place of beginning, containing 400 acres more or less. –

Being a portion of that tract of land known as " Rancho de San Juan Bautista." –

150
120

37
29/6


Creek not surveyed, but Sketched from Gen.l Map
Otis Ashly
Boundary of
Joaquin Narvaez
H. C. Melone
Two Sycamores
marked respectively
P & A
Stone Post
Now dry
Arroyo de los Gatos
Old residence of
Wm. R Bassham
Line at right angles to the fence
Waldrop & Ashly
55
Martinez
Patrick purchase
56
Ware
Lane
Mears
52
Lane
Line at right angles with the fence
57
Bought Oct. 20 1852
123 1/4 acres
About 50
acres
I Branham
Bought Sept. 23 1853
229. acres
Watson & Hester purchase
C. P. Hester
Var 15° 30' E
MAGNETIC
Boundaries of Bashams portion of Watsons Hesters purchase
Boundaries of Wilburns purchase (supposed to be)
See page
Scale
BROOKS
ROULEAU
& CO.

2

Manuel Micheltorena
Governor of California
To
Agostin Navarez

Grant

Expediente. 1844.
No. 364.
Traced copy filed in office of County Recorder of Santa Clara County April 1st 1863.

For as much as the citizen Angostin Navarez has petitioned for his own benefit and that of his family "dos sitios de ganado majin" two square leagues within the land named San Juan Bautista bounded by the Rancho of the señores Bernales by that of Justo Larias, by the mountains, by the farm of Hernandez and the Pueblo of San Jose, the necessary enquiries having been made and the rules and regulations complied with by virtue of the power conferred upon him by the Mexican nation, in the name of the Mexican nation I have come to the conclusion to grant the land described, declaring him to be the owner by these present letters subject to the approval of the Departmental Assembly and subject to the conditions which are as usual

Given at Monterey
March 30. 1844

Witness Manuel Jimeno
Recorded April 27. 1850 Liber A of Deeds pages 27-28
The Deseño is recorded with the grant

Augustine Narvaez
Maria Josefa Narvaez
to
Clarkson & Vanduselice

Note
This deed with Grantee's name omitted; defectively acknowledged before C. J. Rylaw N.P. and acknowledged same day before J. Richardson Co. Recorder by A. Ramirez only
Recorded April 5/50
Liber A. of deeds pp. 104.

Deed in the Spanish Language as follows:

Sepan todos por estos presentes o letras que yo Augustin Narvaez del Condado de Santa Clara y del Estado de California por en consideracion de la suma de un mil pesos pagados in mis manos cuyo recibo, confico por estas, que por estas letras, contrato, vendo enagero y sus heredoros y asignatorios para siempre todo aquel parage o estension de terreno dintro del condado de Santa Clara conocido por el parage de San Juan Bautista y espresado como sigue colendando por el sur con el Rancho o Terreno de Juan Bernales alias Senores Bernales y de Esrow C Cook estendiendo para el Poniente hasta el pie al Este del Sierra Azul de aqui al norte en linea con el pie al este del Lyerra Asuz hasta al arroyo de los gatos de aqui para el Este hasta el calmino de Pueblo de San Jose a Monterey de aqui para el su

siguiendo el referido camino hasta llegar
a un punto paralelo con la linea del
Norte de dicho terreno del referido Juan
Bernal alias señores Bernales de aqui
hasta llegar y acompanando dicha
linea del terreno de las Bernales hasta
llegar y inclayando el lugar del princi-
-pio esceptuando de todo este dos leguas
de terreno para media y apartes al
dicho Augustin Narvaez del modo siguiente
a saber comenzando al punto del Nor
Este de dicho parage de terreno coriendo
de alli una legua al Poniente sobre la
linea que divido los terrenos de San
Juan Bautista de aquellos pertineciendo
al Pueblo de San Jose de aqui coriendo
dos leguas al nor de aqui una legua
para el Este de aqui dos leguas el
Norte accompando la linea bases de
las lomerias al Poniente hasta el punto
del principio. Los gastos de la Mienura
de los referidos dos leguas seran pagados
por dichos Vandusclice y Clarkson. Si
el dicho paraje de dos leguas no puede
hallarse por la linea du nor si
completara la diferencia en la menma
de la ariduna y el dicho Narvaez
por estas letras pone en llena posecion
a los referidos Vandusclice y Clarkson
de todo lo sobrante de dicho parage
de terrenos espresados sobrante y a
mas de las referidas dos leguas y para

que conste suscrito un punto y forma
a los viente y cinco dias del mes de
Abril del Año de Mil Ocho Cientos y
Cincuenta

Firma, Sellada y entregada
en presencia de
John J Richardson
James W Weeks (Signed) Augustin his X mark Narvaez (Seal)
Maria Josefa her X mark Narvaez (Seal)

Acknowledged (The certificate being in
spanish) April 25. 1850
Before John J. Richardson
Co Recorder
By Augostin Narvaez

Acknowledged by Maria Josefa Narvaez
(Certificate being in spanish
April 25. 1850
Before C. J. Ryland, N.P.

Recorded April 5. 1850
Liber A of Deeds page 164

Henry Vandruselice
and
Henry Clarkson
to
Augustin Narvaez

Deed

(In Spanish and English)

Dated July 8. 1850

Consideration $1

Grant, bargain, sell and convey to said Narvaez his heirs and assigns forever the following Real Estate situated in Santa Clara County (Being the two leagues of land excepted in a Deed of conveyance executed by said Narvaez and wife to said Clarkson and Vandruselice dated April 25. 1850 and as selected and agreed upon as such by said parties and bounded as follows: Beginning at a small cotton Wood tree marked "N" in the swamp formed at the junction of the Arroyo San Jose de Guadalupe with one of the branches of the Arroyo de los Gatos thence running in a straight line South 33° 12' East (true bearing) to the middle of the arroyo San Jose de Guadalupe, thence up said Arroyo to a point between a large Sycamore

marked "N" and a small one marked W which point is designated by a stake on the Eastern bank marked "8", thence in a straight line South 64° 20' East true bearing till the line intersects the Arroyo de las Tinares about 850 feet North of Miguel Navarez house thence up said arroyita passing along the foot of the hills of San Juan Bautista to a sancelito in the boundary of Bernals land lying about one mile and one eighth South Easterly from said hills thence in a straight line to a liumy oak marked B.N on the top of the ridge of hills formerly the boundary of Justo Larias now Cooks land, thence in a straight line to the junction of the Arroyo San José de Guadalupe with the Capitancillos Creek, thence up the Capitancillos Creek about a mile and two thirds more or less to a stake on the North bank standing about 17 or 20 feet "S W" from two small sycamores marked V, thence in a straight line N 30° 05' West (true bearing about 3 and 3/4 miles to a point in the middle of the Arroyo de los Gatos designated by a stake on the Southern bank 48 feet above a forked oak marked "V" and about the same distance below a clump of sycamores, thence down the arroyo de los gatos about 3/2 miles

(moreover) to a large burnt stump in the fork of two branches of the Arroyo and at the end of a long lane leading through the field of Joaquin Narvaez and others thence in a straight line from said stump to the place of Beginning with Covenant against Grantors.

Acknowledged July 8. 1850
Before C. J. Reynolds, N. P.
Recorded July 10. 1850
Liber A of Deeds pages 189 & 190

Augostin Narvaez
and
Maria Josefa Higuera
to
John W Patrick

Deed

Dated Sept 4. 1850
Consideration $ 2000

Grant, bargain, sell and convey unto second party his heirs and assigns forever all that piece

of Land situated in the County of Santa Clara bounded and described as follows Commencing at a point on the Arroyo de los gatos 10 varas spanish measure below the point where the fence of Felix Buelna joins the said Arroyo de los Gatos and running thence Southwardly 1000 spanish varas parallel with said fence, thence 1000 spanish varas in a direct line below the point of Beginning, thence following the meanderings of said arroyo to the place of Beginning.

With covenant to Warrant and Defend against the lawful claims of any and all persons whatsoever.

Witness
M Gibuga
W van voorhies

(Signed) Augustin his x mark Narvaez (Seal)
Maria Josefa x Higuera (Seal)

Copy of acknowledgment

State of California
Santa Clara County } ss

Be it remembered that on this the 30 day of October 1850 before me personally came Augustin Narvaez and Maria Josefa Higuera his wife personally known to me

to be the persons described in and who executed the foregoing instrument and the said Maria Josefa his wife having been by me examined apart from without the hearing of her said husband acknowledged that she executed the same freely and voluntarily and without undue influence of her husband and that she did not wish to retract the execution of said execution of the same

In Testimony Whereof
I have hereto set my hand
and affixed my private
seal, there being as yet
no Official seal the day
and date above written
J. S. Richardson
Rec

Recorded October 3. 1850
Liber B of Deeds page 138

The Deed is further defective because the South boundary is omitted

This Deed is re-recorded August 23. 1854 Liber H of Deeds page 149 with boundary correct but with the same acknowledgment

John W Patrick

to

Wm R Basham

Deed

Dated August 19. 1851

Consideration $ 2400

Grants, bargains, sells and conveys to party of the second part his heirs and assigns forever in fee all that piece or parcel of land situated in the County of Santa Clara bounded as follows: Commencing at a point on the arroyo de los Gatos 10 varas (Spanish measure) below the point where the fence of Felis Buelna joins the said Arroyo de los Gatos and thence running thence Southwardly 1000 spanish varas parallel with said fence (thence 1000 spanish varas in direction at right angles to said fence) thence to a point in said Arroyo 1000 spanish varas in a direct line below the point of Beginning (thence following the meanderings of said Arroyo to the place of Beginning.

With covenant to Warrant & Defend against the claims of all persons

Witness
W. L. Smith
Acknowledged August 25. 1851
Before W. L. Smith, N.P.
Recorded August 26. 1851
Liber B of Deeds page 491

William R Basham
to
Mary Jane Basham

Deed

Dated August 26. 1851

Consideration of love and affection also for the better maintenance, support and livelihood of said Mary Jane gives, grants and confirms to said Mary Jane Basham, to her heirs and assigns all that tract of Land situated in the County of Santa Clara and bounded as follows: Commencing at a point on the Arroyo de los Gatos 10 varas, spanish measure below the point where the fence of Felis Buelna joins the Arroyo de los Gatos aforesaid and running thence Southwardly

1000 spanish varas parallel with said fence, thence 1000 spanish varas in a direction at right angles to said fence thence to a point in said arroyo 1000 spanish varas in a direct line below the point of Beginning, thence following the meanderings of said arroyo to the place of Beginning.

Habendum clause to her own proper use and behoof.

With covenant against incumbrances.

Acknowledged August 24. 1851
Before John J Richardson,
Recorder of Santa Clara

Recorded August 24. 1851
Liber B of Deeds page 492

Augustin Narvaez
and
Josefa Higuera Narvaez
To
John N Watson
and
Hiram P Hester

Deed

Note.
The Record shows this deed to.
"Craven P. Hester"
Grantee
instead of
"Hiram P. Hester."

Dated April 8. 1852

Consideration of Five Dollars and the further consideration of services to be rendered by the parties of the second part before the United States Land Commissioners in an application before said Commissioners for the confirmation of the title to a tract of Land claimed by said Narvaez known by the name of Rancho San Juan Bautista, grant bargain, sell and convey to party of the second part the following described Land being part of said Rancho and situate in the County of Santa Clara. Beginning at the North West corner of one Isaac Brannans land, thence in a Northerly direction in a line of the same direction of the Westerly line of said Brannans tract until it touches the line of John Wuldropes land, thence in a Westerly direction along the line of said Wuldropes to the line of Bashams land, thence along Bashams line to a point thereon 1500 varas distant from the point where said first line touches Wuldropes line and if there should be angles in said Bashams line to follow the same so as to be 1500 varas from the nearest point of said first line, thence in a Southerly direction on a line parallel with said first line and said Brannans Westerly line to a point

so as to include within the area the same quantity of land which would be included in a tract of land of 2000 varas square, thence in a direct line Easterly to the nearest point of said Brannan's line, thence along said line to the point of Beginning containing the same quantity which 2000 varas square would make.

To have and to hold to parties of second part their heirs and assigns forever.

With covenant against incumbrances and to Warrant and Defend against all lawful claims.

Witness Josiah Belden
L. I. Dunn

(Signed) Augustin his mark Narvaez
Josefa Gyera her mark Narvaez

No seals to signatures but reference is made to one

Signatures proven April 19. 1852 by Josiah Belden subscribing Witness before Thos L Merivale, N. P. and same day before C. J. Ryland, N. P.

Recorded April 20. 1852
Liber D of Deeds page 483

John H Watson
with
C. P. Hester

Agreement

Dated April 1h. 1852

Whereas Crasen P Hester and John H Watson have purchased a tract of land from one Narvaez described in a Deed made by said Narvaez to said Hester and Watson dated April 8. 1852 he the said Watson having agreed to defray the expenses of two of the witnesses in establishing before the Commissioners of the United States the title to said land without any expense on the part of the said Hester except his own expenses in attending to the confirmation of the Title to said land. Now it is agreed between the said Hester and the said Watson that provided the said Watson pays the expenses of the said testimony as aforesaid and a title shall be procured or confirmed by the board of Commissioners to said land and provided that the above agreement to pay the expenses of two witnesses be the true agreement between Watson and Narvaez, that the following shall be the partition line in the division of said land, to wit.

10

the direct extension of the line of one Isaac Branham on the northerly side of Branham's tract Westerly to and through the said tract purchased as aforesaid of said Narvaez to the Western terminus of said line so as to include 300 acres on the northerly side of said line included in said tract but if 300 acres shall not be included on said northerly side, then said division line shall run so far South of said line and parallel thereto, the whole distance of said line on said Watsons and Nesters tract so as to include 300 acres, provided the quantity inclu— South of the extension of said Branham's line shall not exceed fifteen acres. And it is further agreed that said Watson shall have the land on the northern side of said line and that the said Nester shall have the one half of said tract so purchased of said Narvaez less 25 acres on the Southern side of said line so fixed between said Nester and Watson as aforesaid and as to said 25 acres, the same are to be conveyed to whomsever the said Watson shall hereafter designate on the Southern side of said part of said tract so allotted as aforesaid to said Nester by quit-claim Deed, provided the title of Narvaez shall be

confirmed. But if the land included in said tract on the North side of said line shall exceed 300 acres, then said line shall be placed and extended so far North as to include the 300 acres and no more and when the proper line shall be fixed and established as aforesaid then the said parties shall execute Deeds of Release to each other of the interest in said land pursuant to said division and for explanation of the boundary of said 300 acre tract on the North of the boundary named in the Deed from Narvaez to the said Hester and Watson, reference is had to a certain survey or map of said tract made by William J Lewis, County Surveyor of the County of Santa Clara Dated April 11. 1852 and bearing the signatures of the said Craven P Hester and John H Watson

Witness
W. J. Wallace

I hereby assign and set over to Wm R Basham all my right and claim in and to any interest of mine in the foregoing instrument of writing.

(signed) John H Watson

Signature proven Feby 23. 1859

11

By Wm J Wallace, subscribing
Witness
Before A. M. Thompson
Co Recorder

Recorded February 24. 1859
Liber A of Miscellaneous page 185

John W Watson
to
William R Basham

Deed

Dated April 19. 1852
Consideration $ 2500

Grants, bargains, sells and converys to party of the second part, his heirs and assigns forever all the right, title, interest &c of the party of the first part in the tract of Land situated in the County of Santa Clara, part of the Rancho San Juan Bautista known and described as follows. Beginning at the North West corner of Isaac Branham's land, thence in a Northerly direction

in a line of the same direction of the Westerly line of said Brannan Tract until it touches the line John Waldrope's land, thence in a Westerly direction along the line of said Waldrope to the line of said Basham's land thence Basham's line to a point thereon 1500 varas distant from the point where said first line touches Waldropes line and if there should be angles in said Basham's line to follow the same so as to be 1500 varas from the nearest point of said first line, thence in a Southerly direction on a line parallel with said first line and said Brannan's Westerly line to a point so as to include within the area the same quantity of land which would be included in a tract of land of 2000 varas square thence in a direct line Easterly to the nearest point of said Brannan's line, thence along said line to the point of Beginning containing the same quantity which 2000 varas square would make, the interest hereby conveyed being an equal undivided half interest in the same.

With covenant against Grantor and all persons claiming under him

No seal to signature
but refers to one

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Acknowledged April 19. 1852
Before C. J. Ryland, N. P.
Recorded April 20. 1852
Liber D of Deeds page 482

Augustin Navaez
Maria Josefa Higuera
To
William R Basham

Deed

Dated October 20. 1852
Consideration $414. 25.

Grants, bargains, sells and confirms to party of the second part his heirs and assigns 123 1/4 acres of Land situate in the County of Santa Clara being part of the Rancho granted by the Mexican Government to said Augustin Navaez known as the Rancho de San Juan Bautista and which piece herein sold is bounded and described as follows:

Commencing at the South East corner of John W Patrick's

lot, thence South 28° 15' East 35.79/100 chains to a stake fourteen feet from blazed tree, thence north 71° 38' East 26 16/100 chains to stake at the South East corner of Watson's lot, thence North 18° 22' West 40 29/100 chains to a stake and mark on fence, thence South 61° 23' West 32 26/100 chains to the place of Beginning containing 123 25/100 acres with covenant to Warrant and Defend against all claims and demands whatsoever

Witness Frederick Hall

(signed) Augustin his mark Narvaez
Maria Josefa her mark Higuera

Acknowledged October 20. 1852
Before Frederick Hall, N.P.

Recorded October 20. 1852
Liber E of Deeds page 218

13

Henry Vandusclice

to

George Gordon

Covenant for Deed

Dated February 22. 1853

To transfer and convey to said Gordon by a good and sufficient Deed of quit claim all the right, title interest I now have or may have at the time of execution of such Deed in the tract of Land known as the Rancho San Juan Bautista in Santa Clara County on the payment to me by George Gordon of the sum of $10.000

Witness

Henry Curtis

Signature proven by Henry Curtis, subscribing Witness

Before Samuel J Boyd N.P.

Recorded February 24. 1853

Liber E of Deeds page 471

Wm R Basham

and

Mary Jane Basham

To

Robert Walkinshaw

Mortgage

Dated August 1. 1854

To secure payment of $3000

Conveys the portion of the Rancho Narvaez or San Juan Bautista described as follows: Commencing at a stake on the South bank of the arroyo los Gatos marked B, thence South Easterly about 2500 varas to a stake marked B and adjoining lands of C. P. Hester and Isaac Branham thence South Westerly about 3200 varas to a stake marked B, thence North Westerly about 1000 varas to a stake marked B, thence North Easterly about 800 varas to a stake marked B, thence North Westerly about 400 varas to the Arroyo Los Gatos, thence down said Creek on the South bank thereof about 2000 varas to the place of Beginning

Recorded August 2. 1854

Liber B of Mortgages page 289

14

On the margin of the Record is the following cancellation

I hereby release from this mortgage all the premises mentioned therein except that piece of land sold to Seneca Jones by W R Basham & wife March 29. 1854 and recorded in Book K of Deeds page 210 Dated Sept 7. 1857

Attest

S. A Clark, Recorder

(Signed)

Robert Walkinshaw

William R Basham

to

William Kent

Israel Holman

James Duff

James Burke

George Brown

John Heffell

and

N. C. J. Chrisman

Mortgage

Dated November 14. 1854

To secure payment before the 14th November 1855

to Wm Kent —	$ 230
to Israel Holman	$ 700
to James Duff	$ 805
to James Burke	$ 329
to George Brown	$ 475
to John Heffett	$ 1000
to N. C. J. Chrisman	$ 491

Conveys all that portion of the Rancho San Juan Bautista described as follows: Commencing at a stake on the bank of the Arroyo de los Isatos marked B, thence running in an Easterly direction about 2500 varas to a stake marked B, thence Southerly about 3200 varas to a stake marked B thence Westwardly about 1000 varas to a stake marked B, thence Northerly 800 varas to a stake, thence Westwardly about 600 varas to a stake and rock on the bank of the Arroyo de los Isatos, thence Northwardly along the Bank of said Arroyo de los Isatos to the place of Beginning (with the exception of all the property that may be within said limits heretofore conveyed and transferred to my wife Mary Jane Basham also personal property, stock & farming ustensils.

Recorded November 15. 1854

Liber B of Mortgages page 405

15

The following satisfactions are entered on the margin:

The amounts due each one of us secured by this Mortgage are satisfied in full this 5th day of October A.D. 1855

(Signed) John Nefty Israel Holman

James Duff George Brown

Attest

S. A. Clark, Recorder

Satisfied in full this 5th day of November A.D. 1855

(Signed) N. C. T. Chrisman

Attest

S. A. Clark, Recorder

The amount secured to James Burke by this Mortgage was transferred by him to me and the same is this day satisfied in full October 5. 1855

(signed) John Nefty

Attest

S. A. Clark. Recorder

Satisfied in full this 17th day of July A.D. 1861

(signed)

James x Burke

Attest

S. A. Clark

Recorder

Assigned by Wm Kent to Robert Walkinshaw by assignment dated May 30. 1855 and recorded May 30. 1855 Liber B of mortgages page 589.

And cancelled on the margin of this Record by Robert Walkinshaw May 17. 1856.

Wm R Basham

and

Mary Jane Basham

to

Thomas J Wilburn

Deed

Dated November 28. 1854

Consideration $8000

Bargain, sell and quit-claim to said Wilburn his heirs and assigns forever all their right, title, interest &c in the tract or parcel of land situated in the County of Santa Clara bounded and described as follows:

Commencing at a sycamore

tree marked A, thence running an Easterly direction along the line of the land of Mary Jane Basham and a continuation of the same until it strikes the fence and ten feet beyond the said fence being about 2500 varas thence at right angles varying West parallel with said fence ten feet beyond 1000 varas to a stake marked B, thence at right angles varying north in a Westerly direction 1800 varas to the bank of the arroyo de los Gatos, thence down the same to the place of Beginning. Containing 400 acres more or less free from the claim of all and every person claiming by, through or under us

Acknowledged Nov 27. 1854
Before S. A. Clark Co Recorder

Date & certificate of Record omitted
Recorded in Liber H of Deeds page 299

This and the following were recorded together and the date of Certificate of Record answers for both.

William Kent
Israel Norman
James Duff
James Burke
George Brown
John Heffell
H. C. J. Chrisman

To

Thomas J Wilburn

Release

Dated Nov 27. 1854

In consideration of One Dollar relinquish all the right and title which we now have by a Deed of mortgage from W R Basham recorded in the Recorder's Office of Santa Clara County in Book of mortgages B pages 405 406. 407. 408 in and to the premises in the within conveyance and we hereby give notice to the world that we cancel all encumbrances in our favor existing on the within named premises but said mortgage remains in full force against the premises mentioned in it other what is mentioned in the within Deed.

Witness
S. A. Clark

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Heffelt signs John Hefta
Chrisman signs H. J. Chrisman
and so acknowledge

Acknowledged Nov 27. 1854
Before J. A. Clark, Co Recorder

Recorded Nov 28. 1854
Liber H of Deeds page 300

Thomas J Wilburn
To
Mary Jane Basham

Mortgage

Dated April 5. 1855

To secure payment of $1000

Conveys the tract of Land bounded and described as follows Commencing at the South East corner of the land formerly of John Waldrope thence East in continuation of his land about 1500 varas to a stake marked B, thence in a southerly

direction about 1000 varas to a stake marked B, thence Westerly about 1200 varas to a stake, thence northerly about 1000 varas to the place of Beginning. containing about 200 acres and being a portion of the land conveyed to me by Deed from W R Basham & wife on or about the 27 th november 1854

To secure payment of a note for $1000 of which the following is a copy

San Jose, Cal $1000 on or before the 1st day of January next I promise to pay to Mary Jane Basham or order the sum of $1000 for value received and if not paid at maturity then to bear interest upon said amount at the rate of 3% per month until paid

Witness my hand the 27 Nov 1854.

(Signed) Thos J Willson

Recorded April 6. 1855

Liber B of mortgages page 547

I find the following satisfaction entered on the margin of the Record

Satisfied in full this 7th day of November A. D 1855

W.R. Basham M J Basham

Attest S. A. Clark

Recorder

18

Alexander Hall

vs

W. R. Basham

and

Joseph Kinkaid

Attachment

3d District Court

To secure $1376.77 attaches the tract of Land described as in the mortgage of Basham to Kent Etal

Dated June 13. 1855

Levied June 12 1855

Filed June 13 1855

June 12. 1855	Complaint filed. affidavt. undertaking filed. attachment issued
" 13 "	Summons issued.
" 18 "	Summons returned served 15th. Answer filed.
Aug 11 "	Judgment by agreement entered against Defendant for $803.77, costs
June 3 1857	Execution issued Sheriff that on 10th June 1857 he levied on and on July 4. 1857 sold to Asa Vestal the premises described as in Certificate of sale.

Cains & Ryland
vs
W R Basham
and
Joseph H Kinkaid

Attachment
3d District Court

To secure $114.85 attaches the piece of land described in mortgage from Basham to Kent et al
Dated, Served & filed June 12. 1855

June 12. 1855	Complaint filed. Affidavit & undertaking filed. Attachment issued. Summons issued
" 18 "	Default of Defendants entered and judgment entered for Debt $576.61 – interest $157.50 Costs $29.55
June 3. 1857	Execution issued. Sheriff returns that on 10th June 1857 he levied on and on July 6. 1857 sold to Asa Vestal the premises described as in Certificate of sale.
June 17. 1857	Assignment of judgment to Asa Vestal filed.

Jackson Lewis
vs
W. R. Basham
and
Joseph Kincaid

Attachment
3d District Court

Attaches all that tract of land described as in Mortgage of Basham to Kent & others to secure $ 1859.20
Dated, levied & filed June 12. 1855

June 12. 1855 - Complaint filed affidavit & undertaking filed attachment issued. Summons issued, returned served.

July 7 " " Default entered and judgment entered for Debt $ 827 - Interest $245.14 - Costs $30.40.

June 10. 1857 - Execution issued - Sheriff returns that on 10th June 1857 he levied on said premises, and on 5 July 1857 sold same to Asa Vestal premises as described in the following certificate of sale.

June 17. 1857 Assignment of judgment to Asa Vestal filed.

Asa Vestal

vs

W. R. Basham

and

Joseph N Kincaid

Attachment

3d District Court

To secure $1774.81

Attaches the tract of land described in Mortgage Basham to Kent Etal Dated, Levied and filed June 13. 1855

June 13. 1855	Complaint filed - affidavit undertaking filed & attachment issued - Summons issued returned served.
July 7 "	Default entered and judgment rendered for Debt $1774.81 Interest $51.47 - Costs $29.55
June 3. 1857	Execution issued . Sheriff return that on 10th June 1857 and on 6th July 1857 sold to Asa Vestal the premises described in the following certificate of sale.
March 9. 1859	Vestal enters satisfaction of judgment of Vestal vs Basham Etal - Lewis vs Basham Etal - Ryland vs Ryland Etal.

George Kennedy
Thomas Reynolds
Samuel G Beatty
Copartners under the
name & style of
Kennedy & Co

No vs

Thos J Wilburn

Attachment
3d District Court
To secure $1255

Attaches all that
tract of 100 acres described as in Deed
from Basham & wife to Wilburn

No further proceedings in this case Feby 21/70
M. Maze.

Dated	September 28. 1855
Levied	Oct 3. 1855
Filed	Oct 4. 1855

September 28. 1855.	Complaint filed. Affidavit and undertaking on attachment. Attachment issued. Summons issued.
Oct 18 "	Summons returned served on October 4th

Written across the face of the Register are the words –
"Settled"
"Costs refunded"
Sam P. Howes

Thomas J Wilburn
and
Elizabeth Wilburn
To
Samuel G Beatty Jr
and
George Kennedy

Deed

Dated November 1. 1855

Consideration $ 8000

Grant, bargain and sell unto the said party of the second part their heirs and assigns forever all that certain tract or parcel of land situate in the County of Santa Clara bounded and described as follows: Commencing at a sycamore tree marked A thence running in an Easterly direction along the line of the land of Mary Jane Basham and a continuation of the same until it strikes the fence and runs ten feet beyond the said fence being about 2500 varas, thence at right angles varying West parallel with said fence and being ten feet beyond said fence 1000 varas to a stake marked B, thence at right angles varying north in a Westerly direction about 1800 varas to the bank of the

Arroyo de los Gatos, thence down the same to the place of Beginning, containing 400 acres more or less

Acknowledged November 7. 1855
Before L Crocker N. P.
Recorded Nov 7. 1855
Liber H of Deeds page 495

Samuel G Beatty Jr
Juliet Beatty
and
George Kennedy
To
Robert Walkinshaw

Mortgage

Dated November 1. 1855

To secure payment of $5000 convey the tract of Land of 400 acres described as in Deed from Wilburn to Beatty & Kennedy

Recorded November 8. 1855
Liber D of Mortgages page 9

Cancelled by a Release dated March 1. 1858
Recorded March 2. 1858
Liber A of Releases page 85

Also acknowledges satisfied the payment of the judgment recovered upon said note and mortgage by the District Court of the County of Santa Clara in 1857.

Robert Walkinshaw
vs
Samuel G Beatty jr
George Kennedy
& Juliet E Beatty

3d District Court

Suit brought for foreclosure of mortgage made by Beatty & Kennedy to Walkinshaw of Nov 1. 1855

February 24. 1857. Complaint filed. summons issued, returned and served on Kennedy March 7 on S G Beatty March 10. on Juliet Beatty

	march 6
march 21. 1857 -	Default of Defendants entered
April 17. 1857 -	judgment rendered for $ 5572 interest at 2 % per month from April 17. 1857 and cost $ 45.40.
	Order of sale issued. Sheriff returns same unsatisfied by order of Plaintiffs attorney time having been given Defendants.

P. J. McCabe
Sheriff
By Thos Bodley
Under Sheriff
To
Asa Vestal

3d District Court

Cains & Ryland
vs
W. R. Basham
and
Jos H Kincaid

Certificate of Sale

Dated July 4. 1857

By virtue of an execution issued out of the above Court in the above cause tested June 3. 1857 did sell to Asa Vestal for $1432.75 all the interest which said Defendants had on the 7th July 1855 in the tract of land described as in the foregoing certificate of sale to Vestal.

Filed July 7. 1855

P. J. McCabe
Sheriff
By J. Bodley
Under Sheriff
Santa Clara County

—To—

Asa Vestal

3d District Court

Jackson Lewis

—vs—

W. R. Basham
Jos N Kincaid

Certificate of Sale

23

By virtue of an execution issued out of the above court in the above cause tested June 10. 1857 did sell for $381 to Asa Vestal all the interest said Defendants had on the 7th July 1855 in the tract of Land described as in the foregoing certificate of sale to Vestal

Dated July 6. 1857
Filed July 7. 1857

P. J. McCabe
Sheriff
By Thos Bodley
Under Sheriff

vs

Asa Vestal

3d District Court

Alexander Hall

vs

W. R. Basham
& Jos H Kincaid

Certificate of Sale

Dated July 6. 1857

By virtue of an execution in the above cause, issued out of the above Court, tested June 3. 1857 sold to Asa Vestal for $2000 all the interest which said Defendants had on the 11th August 1855 in the tract of Land described as in the foregoing certificate of sale to Vestal

Filed July 7. 1857

P. J. McCabe
Sheriff
By J Bodley
Under Sheriff of
the County of Santa Clara
To
Asa Vestal

3d District Court

Asa Vestal
vs
W. R. Basham
J. N. Kincaid

Certificate of Sale

24

Dated July 6. 1857

By virtue of an execution in the above cause tested June 3. 1855 sells all the interest said Defendants had on the 7th July 1855 in the tract of Land described as follows: Commencing at a stake on the South bank of the Arroyo de Los Gatos marked B thence South Easterly about 2500 varas to a stake marked B and adjoining lands of C. P. Hester and Israel Branham, thence South Westerly 3200 varas to a stake marked "B" thence North Westerly about 1000 varas to a stake marked B, thence North Easterly about 800 varas to a stake marked B, thence North Westerly about 600 varas to the bank of the Arroyo Los Gatos, thence down said creek on the South bank thereof about 2000 varas to the place of Beginning

Filed July 7. 1857

William R Basham

To

Craven P Nester

Deed

Dated August 10. 1857

Consideration of Five Dollars and for the purpose of more completely confirming a partition heretofore made by and between the said Basham and Nester of certain Real Estate situate in said County and more particularly described in a certain Deed of Conveyance made by Augustin Narvaez and his wife bearing date April 8. 1852 to Craven P. Nester and John N Watson (the said Watson having on the 19th day of April 1852 conveyed all his interest in said Real Estate to said Basham) do hereby remise, release and forever quit-claim unto the said Craven P. Nester, his heirs and assigns forever all my right, title, interest &c in all that portion of said Real Estate first above mentioned which lies and is situated South of a line commencing at a stake on Isaac Branham's Western line and 2.$\frac{75}{100}$ chains from the North Western corner of said Branham's land, running thence South 71° 38' West

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to the Western line of the first mentioned tract of land, said line running true course parallel with and about 15 feet from and to the south of said Bashams fence, the said land lying to the South of said line being now in the possession of said Nester

Witness
A. L. Rhodes

Acknowledged January 8. 1859
Before Peter O Minor N.P.

Recorded February 7. 1859
Liber M of Deeds page 173

Samuel G Beatty Jr
and
Juliete E Beatty
To
George Kennedy

Deed

Dated February 25. 1858
Consideration $ 2000

Remise, release and

quit-claim all their right, title, interest &c in the tract of Land situated in the County of Santa Clara bounded and described as in Deed of Wilburn to Beatty and Kennedy.

Witness
J. G. Shibanet

Acknowledged February 25. 1858
Before J. G. Shibanet, N. P.

Recorded March 2. 1858
Liber I of Deeds page 449

George Kennedy
To
Robert Walkinshaw

Mortgage

Dated March 1. 1858

To secure payment of $ 3000 conveys the tract of Land of 400 acres described as in Deed from Wilburn to Beatty & Kennedy.

Recorded March 2. 1858
Liber C D of Mortgages page 429

Cancelled by Release signed and acknowledged by John Young, Executor of the last Will and testament of Robert Walkinshaw, Deceased - dated August 20. 1859.

Recorded August 24. 1859

Liber A of Releases page 135

Probate Court
of the County
of Santa Clara

In the matter of the
Last Will and Testament
of Robert Walkinshaw
Deceased

October 27. 1858 - The Petition of John Young respectfully represents that Robert Walkinshaw departed this life on the 28th August 1858 in Helmsbay, Scotland possessed of certain Real Estate and other property in the County of Santa Clara that previous to his death he had not acquired a domicil elsewhere that on the 20th April 1858 decedent maded & published his last

will and testament and appointed his wife Francisca Gomez Walkinshaw, John Young, John Parrott and James Bell his Executors which will is respectfully submitted, that on the 20th day of July 1858 said Decedent made and published a codicil and supplementary trust, disposition and settlement of certain property which in no manner revoked or altered said will but confirmed the same which codicil is herewith presented. That said John Parrott and James Bell have renounced their trust as Executors, that the said Francisca Gomez Walkinshaw and the heirs named in said Will except Maximo Gomez who resides in Santa Clara County and absent in Scotland prays that the will be admitted to Probate and letters testamentary issue to him.

October 27. 1858	Renunciation of John Parrott filed - Renunciation of James Bell filed - Order that Nov 13. 1858 be appointed for hearing same.
Oct 30. 1858	Affidavit of posting filed.
Nov 13. 1858	Affidavit of Publication filed.
Oct 28 -	Citation issue to Maximo Gomez - returned served Nov 12th. John M Williams

appointed to represent minor and absent heirs

Nov 13. 1858 — Order that Will be admitted to Probate and letters testa-mentary issue to John Young. The Will was proven by the Witnesses, and attorney for minor heirs being present and consenting order that notice to Creditors be published Ordered that A. I. Hallock, John R Wilson & John B Henson be appointed Appraisers

November 24. 1858 — Inventory and appraisement filed.

I find the note and mortgage of George Kennedy for $3000 mentioned in same.

October 21. 1862 — Exhibit of account of Executors filed. . (In this I find the note and mortgage of George Kennedy returned paid)

Jose Augustin Narvaez

To

Craven P Hester

Release

Dated January 10. 1859

Whereas I Augustin Narvaez heretofore engaged one John N Watson and Craven P Hester to attend to a certain land claim of mine before the Board of Land Commissioners of California and for their services made a Deed to them of a tract of land bearing date the 8th April 1852 Now so I grant, ratify, approve and confirm the conveyance made by said Deed and I also release unto said Hester all actions and rights of actions claims and demands now existing or which may hereafter arise by or on account of the making of said Deed or the consideration therein mentioned or the said engagement of said Watson and said Hester to attend to my Land claim and I also release to said Hester all actions & rights of actions, claims and demands now existing or which may hereafter arise on account of any matter or thing either in reference to matters

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in which said Hester is justly interested or connected with said Watson or in which he is individually concerned all of which is for the consideration of $ 200.

Witness
Geo M Grell
(Signed) Jose his Augustin Narvaez mark

Acknowledged January 10. 1859
The contents explained by George M Grell interpreted before A. M. Thompson, N. P.

Recorded January 10. 1859
Liber A of Miscellaneous page 184

Jose Augustin Narvaez
to
Craven P Hester

Deed

Dated January 21. 1859
Consideration $200
Gives, grants

ratifies and confirms unto said Hester, his heirs and assigns forever the title of him the said Narvaez of in and to the land conveyed by him the said Narvaez unto said Hester and one John Watson by Deed bearing date the 8th April 1852 and signed with the names of the said Augustin Narvaez and Josefa Higuera Narvaez with their marks of the cross affixed to their names and witnessed by Josiah Belden and another person and also grants, bargains, sells and conveys the following described tract of Land. Beginning at a point on the Westerly line of Branhams land about 2 chains 75 links Southerly of the North Western corner of said Branhams tract of Land and about 15 feet Southerly distant from the South Eastern corner of a field enclosed by a fence erected by one Basham, thence running South 71° 35' West 62.50/100 chains to a stake, thence running South 18° 22' East 63.14/100 chains to a stake, thence North 71° 35' East 62.50/100 chains to a stake, thence North 18° 22' West 63 14/100 chains to Beginning containing 394 1/4 acres of Land. Said Land lies Westerly of said Branhams tract and Southerly of

a tract formerly owned by said Basham and said first line running about 15 feet southerly from the southerly line of fence of said tract formerly owned by said Basham and parallel with said line of fence and being in the County of Santa Clara &c

(signed) Jose Augustin his mark Narvaez (Seal)

Acknowledged January 21. 1859
Before A. M. Thompson. N. P.
Recorded January 21. 1859
Liber M of Deeds page 146

In the certificate of acknowledgment Notary recites that Narvaez was by me made acquainted with the contents of said instrument through George M Yoell a competent and creditable interpretor who was by me for that purpose duly sworn.

Jose Augustine Narvaez

to

Fernando Hernandez

Deed

Dated April 5. 1859

Consideration $500

Remises, releases and quit-claims all his right, title, claim and interest both at law and in equity remaining in him at this date of in and to all that certain tract of Land lying and being in the aforesaid County of Santa Clara known and called by the name of Rancho de San Juan Bautista heretofore granted to the said Jose Augustus Narvaez by the former government of Mexico and which the now State of California was a part of the Mexican Republic and this conveyance is intended and is to be construed to convey all the interest remaining in said Jose Augustine Narvaez in and to the said Rancho and tract of Land aforesaid as the same shall be ultimately and finally surveyed located and confirmed by the United States, their officers, agents, authorities by virtue of the above named grant and the treaty of Guadaloupe

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Hidalgo, the several acts of Congress and regulations thereto appertaining.

Witness

S. O. Houghton

(signed) Jose Augustine his x mark Narvaez (Seal)

Acknowledged April 27. 1859

Before S. O. Houghton N. P.

Recorded Dec 20. 1859

Liber M of Deeds page 666

Fernando Hernandez

To

Samuel W Hoover

Deed

Dated August 10. 1860

Consideration $300

Remises, aliens and quit-claims all the undivided one half part portion and interest of the following described portion of Land lying and being in the County of Santa Clara, being the one undivided

half of all that interest, title, claim and demand conveyed to said party of the first part by Deed of conveyance from one Augustin Narvaez dated the 25th April 1859 recorded in Book M of Deeds page 666, the same being all that portion of the Rancho known as "Rancho de San Juan Bautista remaining unsold at the date of said Deed from said Narvaez on the 25th April 1859

Witness
P. O. Minor

(Signed) Fernando x Hernandez (seal)

Acknowledged January 11. 1860
Before P. O. Minor N.P.
Recorded January 11. 1860
Liber N of Deeds page 52

George Kennedy
To
George W Jenkins

(See pp 73 the Extension)
(See pp 75. the Extension)

Mortgage

Dated October 4. 1860

31

Assigned. p. 73 this abst
to Cerevalias -
Released p. 75. this abst

To secure payment of $2500
12 months after date with interest at
2½ per cent

Conveys the tract of 400 acres
described as in Deed from Wilburn
to Beatty & Kennedy.

Acknowledged October 4. 1840
Before Clinton Palmer, N. P.
Recorded October 5. 1840
Liber D of mortgages page 243

George Kennedy
To
John Herzo

Deed

Dated January 14. 1841
Consideration $4500

Remises, releases and
quit-claims all that parcel or tract
of Land situated in the County of
Santa Clara, bounded and described
as follows: commencing on the

Southerly side of the Arroyo de los Gatos at a Sycamore tree marked "A" thence running an Easterly direction along the line of the land formerly owned by Mary Jane Basham and a continuation of the same until it strikes a fence being about 2500 varas, thence at right angles running West parallel with said fence 10 feet beyond 1000 varas to a stake marked "B" thence at right angles varying North in a Westerly direction about 1800 varas to the Bank of said Arroyo, thence down the same to the place of Beginning, Containing 400 acres more or less

Witness

P. Barry

Acknowledged January 14. 1861

Before P. Barry N. P.

Recorded January 25. 1861

Liber N of Deeds page 194

John Herzo
To
George Kennedy

Deed

Dated January 14. 1861
Consideration $ 5000

Remises, releases and quit-claims unto the said party of the second part all that certain tract or parcel of Land situated in the County of Santa Clara bounded and described as follows: commencing on the Southerly side of the Arroyo de Los Gatos at a sycamore tree marked "A" thence running an Easterly direction along the line of land formerly owned by Mary Jane Basham and a continuation of the same until it strikes the fence and 10 feet beyond the said fence being about 2500 Dollars; thence at right angles running West parallel with said fence and 10 feet beyond it 1000 varas to a stake marked "B" thence at right angles varying north in a Westerly direction about 1800 varas to the bank of the said Arroyo

thence down said arroyo to the place of Beginning, containing about 400 acres

Witness
P. Barry

Acknowledged January 14. 1861
Before P. Barry N. P.

Recorded February 19. 1861
Liber O of Deeds page 65

Samuel W Hoover
To
Joseph Robert

Mortgage

Dated March 25. 1863

To secure payment of $300

Conveys all his interest in the San Juan Bautista or Narvaez Ranch.

Recorded March 25. 1863
Liber E of Mortgages page 750

State & County Taxes.

Paid to date.

No Judgment Liens

San Jose. Nov 3° 1863
at 5 PM

Brooks & Rouleau

The United States
of America
By
Andrew Johnson, Presdt
To
Augustin Narvaez.

Patent

dated Dec 1/65

Petition filed Feby 27/52 with Land Commissioners for two square Leagues. Claim founded on Mexican Grant dated Mch 30/44. Decided adversely by Commissioners Nov 15/53. On appeal to United States District Court on July 5/55 decision of Commissioners reversed - and claim of said Augustin Narvaez confirmed to two square leagues - provided the same be contained within the boundaries of said grant and if not then there is confirmed to him the less quantity.

Land Commission
Case No. 75.

35

District Court
Case No 7

Survey made May 1860 —
8879 54/100 acres
Survey authenticated Dec 4/63 —

Recorded Vol 5 pp 244 &c,
General Land Office

Recorded April 13/66
Liber A of Patents pp 65.

The foregoing Abstract was extended February 21st A.D. 1870.

Third District Court Santa Clara
County State of California

George B Tingley vs Henry Clarkson

Case No. 95
Regr A
pp 56.

Sep 14/50 Complaint filed.
Attachment issued
Summons issued

Aug 15/51 Dismissed by Plaintiff

Third District Court Santa Clara County
State of California

Jos. W. Johnson — old —
— vs — Case No. 200
H. C. Clarkson — new —
Case No. 197
Reg. Applied

Jany 30 1851 Complaint filed to recover $300
on duebill made to J. C. Head
Jany 20 1851 — afterwards endorsed
by Head to Plaintiff
Summons issued
" returned
(Endorsed)
Served by leaving a copy
of the Summons also of the
Complaint with H Clarkson
personally
(Sgd) John Yontz
Santa Clara } Sheriff
County Jan 30 1851 } By W. A. Bowles
Depy Sheriff

The Register shows the following
July 20 1850 Nisi

38

Mch 1/50 Verdict

Final Judgment

" 5 " Transcript

There is no Record
entry or Docket of
Judgment

Third District Court Santa Clara County State of California

Jos H. Johnson — Old No 199
— vs — New No 197
Henry C. Clarkson — Reg A pp 128

Jan 30/51 Complaint filed to recover $1000, on Due bill to E D Clay dated Jany 20/51. and afterwards endorsed to plaintiff.

Summons issued
" returned
{Endorsed}

Served by leaving a copy of summons also of the complaint with H. Clarkson personally.

(Sgd) John Gantz Sheriff
By W A Bowles
Santa Clara County } Dpy Shf
Jany 30 1851

The Register shows the following

Feby 20/50 Nisi
Mch 1/" Verdict

Final Judgment

Feb 5/50 Transcript

There is no Record
Entry or Docket of
Judgment

Henry Clarkson
To
Andrew J. Yates

Deed.

dated Feby 26/51

Cons $1,000.

Sell assign, transfer and convey unto second party his heirs and assigns. All that certain piece or parcel of land, part of the land heretofore conveyed by Augustin Narvaez to first party and Henry Vanderslice being part of the Rancho in said County of Santa Clara known as San Juan Bautista, the land hereby conveyed to consist of 300 acres to be selected and surveyed from said lands of Clarkson & Vanderslice in one tract by said second party in a fair and equal proportion in value quantity and advantages with the remainder of said tract, first party hereby agreeing to have the same taken into account

against him in settlement and partition with said Vanderslice.

The field notes when survey is made to be annexed hereto and made part thereof.

Witness
Jefferson P. Marr

Consent of Henry Vanderslice attached and made part of Record.

Consent of Grantee to take tract from the unimproved lands of Rancho without reference to any improvements

Proven by oath of Jefferson P Marr Subscribing Witness Feby 27/51 by H C Clarkson and Henry Vanderslice Before David F. Beltnap N P.

Recorded Feby 27/51
Libr B of deeds pp 336

Third District Court Santa
Clara County California
Andrew J Yates
vs Case No 451
Henry C Clarkson Reg A pp 306

Michster Complaint filed & recovered $1000.
for legal services.
" 16 " Summons issued
Affidavit and undertaking
on Attachment filed.

Attachment issued

Summons returned (no date
endorsed)
(Endorsed as follows: to wit)
" Recd Mch 19th 1852 and served personally
" on Deft Clarkson in the City of San
" Francisco March 19/52 by delivering
" to him a copy of this Summons and
" copy of the complaint and
" copy of affidavit
" Mch 19 1852 (sgd) Jno C Hays Shf
" By Thos P Johnson Dep Shf

March 6/52 Attachment returned
Endorsed,
According to orders I have attached all the right and title of Henry Clarkson in and to the Narvaez Rancho situated South of the San Jose town
Mch 16 1852. (Sgd) John Yontz Shff
By J W Johnson

Apl 12/52 Demurrer and answer of Defendant filed

May 3/52 Affidavit and notice of taking deposition
(I find no order)
" 3 " Depositions filed.

Aug 12/52 Judgment for Plaintiff for $1000 and ordered that the property attached viz: the Narvaez Rancho be sold to satisfy the same.
Trd Book Apf 293

Costs filed

Aug 24/52 Execution issued

Nov 9/52 Execution returned showing sale on Sep 16/52 of all the right title and interest of H.C. Clarkson defendant in and to the Rancho San Juan Bautista &c

Third District Court Santa Clara
County California
James E Boulden
vs
Henry Clarkson
et al

Old No 450
New No 455
Reg Apb 317

Apl 10/52 Complaint filed to recover $7000
and interest at 8% per month
and foreclosure of a certain Mort-
gage on Lot 11 Block 1 Range
2 Anth. Book A of Mortgs
pp 68.69

Answer of Defendants filed
admitting each and every
allegation of Complaint

May 17/52 Judgment entered for $7000.
debt. $5000 interest and
10% per annum additional
from date of Judgment until
paid

Jud Book A pp 276

43.

Sep 29/52 Order of Sale of Mortgaged premises issued
Returnable Nov 27/52

Nov 27/52 Order of Sale returned showing sale of Mortgaged premises for $3000 to J Branham on Oct 20/52 Satisfied in part.

Jan 5/53 Execution issued for deficiency

Feby 20/53 Execution returned shown Sale of property in question to Geo Gordon and failure by him to complete purchase and re-advertisement for sale.

Mch 21/53 Additional return to Execution showing re-sale to — on Mch 21/53 Also that suit was brought against Geo Gordon for difference between his bid $5800. and purchase money on resale $151 -

viz $5649 - obtaining
of Judgment vs Gordon.
appeal to Supreme Court
Confirmation of Judgment
and Collection of Amount

Mch 25/53 Execution issued

May 3/53 Execution returned
unsatisfied
" " " Execution issued
June " " Execution returned
unsatisfied

3rd District Court Santa Clara
County California

Andrew J. Yates
vs
Henry Clarkson } To A. J. Yates.

Certificate of Sale
dated Sep 16/52
Cents $1200.

By virtue of a writ of "Fieri Facias" in the above cause dated Aug 24/52. Commanding me that out of the Real Estate attached by virtue of a writ of attachment in the above cause belonging to said Clarkson the defendant — to cause to be made $1000. interest and costs recovered by said plaintiff against said defendant on Aug 22/52 in said cause this day sold at public vendue to Andrew J Yates the highest bidder for $1200 — the property to wit all right title and interest of said Henry Clarkson in and to that tract of land known as the Rancho de San Juan Bautista

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or Narvise Rancho bounded South by the Rancho or land of Juan Bernal or the Mejia Bernal and the Rancho de Capitancillos extending Westerly to the foot of the hill East of the Blue Mountains - from here Northerly in a line with the foot of the hills to the East of the Blue Mountains to the Gato Creek from here Easterly to the road from the Pueblo de San Jose to Monterey: from here Southerly following the aforesaid road until it answers at a point parallel with the Northern line of the land of the said Juan Bernal from here until it arrives at and accompanying said line of the Bernals: from here until it arrives at and intersects the point of beginning. Containing in all 2 leagues more or less

Filed at 10 O'clock A M Dec 29 /52

Henry Vanderslice
To
George Gordon

Power of Attorney

dated Feby 22/53

Make, constitute and appoint George Gordon my true and lawful Attorney for me and in my name to sell dispose and alien and transfer unto such person or persons as he may think proper All that tract of land known as the Rancho San Juan de Bautista being the same Granted by Governor Micheltorena to Agustin Narvaez and more particularly described in a Map or diseño accompanying said grant on record in the office of the County Recorder of Santa Clara County. and on file in the office of the Secretary of the United States Land Commissioners No 75. and by a deed from said Augustin Narvaez and wife to Clarkson and Vanderslice also on record in the office of the said County Recorder

Also to undertake the general

management supervision and control of said property to institute and conduct all legal proceedings of every description that he may deem necessary or proper for the protection of the title or right of possession in and to said property to make, sign, seal and deliver any deeds of sale or transfer of said property or any portion thereof to compromise settle and adjust all claims law suits and controversies in reference to said property or any portion thereof, and generally to exercise all such powers and to do and perform such acts as may be necessary to protect and advance my interests as the owner of said property &c

Witness Henry Curtiss

Proven by oath of subscribing witness July 22 1853 before James T Boyd N.P.
San Francisco County

Recorded July 24/53
Liber E of deeds pp 470

Henry Vanderslice
To
George Gordon

Bond

dated Feby 22/53

Cons $500

and divers other goods &c.

at any time within 9 months from date will sell transfer and convey to said Gordon by a good and sufficient deed of quit claim. All the right title and interest that I now have or may at the time of the execution of such deed have acquired in and to that tract of land in the County of Santa Clara, State of California, known as the Rancho of San Juan de Bautista being the same granted by Governor Micheltorena to Agustin Narvaez and more particularly described in a map or diseño accompanying said Grant on record in the office of the County

Recorder of Santa Clara County
and on file in the office of the
Secretary of the United States
Land Commissioners No 75.
and by a deed from said
Augustin Narvaez and wife
To Clarkson V. Vanderslice
also recorded as aforesaid
Witness
Henry Curtiss

Proven by oath of subscribing
Witness Feby 22/53. before
Jas. T. Boyd N. P.
San Francisco County

Recorded July 24/53
Libri E of deeds pp 471

Henry Clarkson
To
George Gordon

Deed

dated March 3/53

Cons $10.00

Grant bargain and sell to the said Geo. Gordon all his right title and interest in and to a Rancho situated in the County of Santa Clara, known as the Rancho San Juan Bautista or the Narvaez Ranch being the same property conveyed by Augustin Narvaez to Henry Clarkson and Henry Vanderslice by deed dated April 11/50 and on Record in the County Recorders Office &c.

First party empowers second party to redeem any judgment sales according to law made or to be made of said property and relinquishes all his

right of redemption in said property.

Covenant of Warranty as Grantor.

Witness
Richard Cochran.
Proven by oath of
Richard Cochran
Subscribing Witness Mch 4/53
Before
Jas. T. Boyd N.P.
San Francisco County

Recorded Mch 21/53
Libir J of deeds pp 32

Don Augustin Narvaez
To
William R Bassham

Deed

dated Sep 28/53

Cons $675.

bargain Sell convey and confirm unto 2d party and to his heirs and assigns forever. the following discribed tract or parcel of land lying and being in the County of Santa Clara and State of California. Beginning at a Stake on the Western line of the Rancho de San Juan Bautista 33 feet from the Southern corner of land bought by W H Stare. being part of said Rancho, thence along the Western line of said Rancho South 20° 55' East (true course) 49.20 chains to a stake marked W R Bassham's Southern Corner which bears South 45° 53' West 24 links from a white oak tree marked B thence North 71° 08' East (true course) 49.26 chains to the Southern corner of said Bassham's land being a former purchase of said Narvaez thence along the Western line of said land

North 28° 37' West (true course) 51.82 chains to a stake in said line 33 feet from W H Ware's Southern line, thence parallel to and 33 feet distant from said line South 68.23 West (true course) 42.06 chains to the place of beginning containing 229 acres of land of which 188 acres are wood land and 40 acres are clear land.

Augustine his + mark Narvaez (seal)

Attest L Archer

Ackd Sep 23/53

Before L Archer J.P.

Recorded Sep 23/53

Libr F deeds p.p 426

J. Augustine Narbaez
To
William R. Bassham
Joseph Gale

Power of Attorney

dated Nov 21/53

Know all men by these presents that I, J. Augustine Narbaez have this day nominated constituted and appointed William R. Bassham and Joseph Gale all of the County and State aforesaid my true and lawful attorneys in fact to attend and represent me in the prosecution of my Claim to the lands known as San Juan Baptista that is now pending before the Courts of the United States and I do hereby covenant and agree with the said Bassham and Gale that I will not sell lease or convey any of my land situated in the San Juan Baptista Grant in the County and State aforesaid unless it be by and with the consent and approval of my said attorneys Bassham and Gale until the final confirmation

is obtained and the agreements hereinafter mentioned is complied with viz. I do hereby agree to give to my Attorneys Bassham and Gale 300 acres of land to be located on my grant made to me by the Mexican Government or $250 in Cash to be paid on the withdrawal of this authority made for the uses herein mentioned the consideration herein specified is not to be paid unless Bassham and Gale are successful in obtaining for me a good and clear title for all the land unsold by me that is properly situated on the ranch known as San Juan Bautista and should my Attorneys so manage my business herein specified so that I will obtain or receive from the American Government a good title for my land situated in the San Juan Bautista Grant, then I do covenant and agree for myself my heirs and administrators that I will give to them a good and sufficient title for the 300 acres of land above mentioned out of my Grant known as San Juan Bautista on which

I am now leveing or pay to them
$2500. in good and lawful money
of the United States.
Given under my hand and seal
this 21st day of Nov. AD 1853.

José Agustine his + mark Narbaez (seal)

Attest

James W Weekes

Jose Joaquin his + mark Narbaez

Acked Nov 21/53
Before S. A. Clark
County Recorder
by F Lewis
Deputy

Recorded Nov 21/53
Libr F deeds pp 527.

Wm R Bassham
Mary Jane Bassham
his wife
To
Thomas J. Wilburn

Deed.

dated Nov 28/54

Cons $5000.

bargain sell and quit claim unto the said Thomas J Wilburn his heirs and assigns forever. All of our right title interest estate claim and demand both at law and in equity. and as well in possession as in expectancy of in and to all that certain piece or parcel of land lying and being situate in the said County of Santa Clara and State of California and described as follows to wit. Commencing at a Sycamore tree marked thence running an Easterly direction along the line of the land of Mary Jane Bassham and a continuation of the same until it strikes the fence and

ten feet beyond the said fence being about 2500 varas thence at right angles varying West parallel with said fence 10 feet beyond 1000 varas to a stake marked "B" thence at right angles varying North in a Westerly direction about 1800 varas to the bank of the Arroyo de los Gatos. thence down the same to the place of beginning. Containing 400 acres more or less

Ackd Nov 27/54

Before J. A. Clark

County Recorder.

William Kent
Israel Holman
James Duff
James Burke
George Brown
John Heffett
and H. C. F. Chrisman

Release

dated

Ans $1

Know all men by these presents, that

We, William Kent. Israel Holman, James Duff. James Burke. George Brown John Heffett and H. C. J. Chrisman in consideration of the sum of $1 receipt whereof is hereby acknowledged relinquished all the right and title which we now have (by a deed of mortgage from Wm R Bassham recorded in the Recorders office of Santa Clara County in Book of Mortgages B on pp 405. 406. 407 and 408) in and to the premises in the within conveyance and we hereby give notice to the world that we cancel all encumbrances in our favor existing on the within named premises but said Mortgage remains in full force against the premises mentioned in it other that what is mentioned in the within deed

George Brown (Seal)
James Duff (Seal)
Israel Hallman (Seal)
Wm Kent (Seal)

53

James Burk (seal)
John Hefte (seal)
H. J. Chrisman (seal)

Release Ack'd by all parties Nov 27/54
Before J. A. Clark County Recorder.

Recorded Nov 28/54
Liber H deeds pp 299 & 300.

Deed, Re-ack'd Nov 10/63
by Bapham & wife
Before Geo. M. Yuell N. P.

Recorded Nov 13/63
Liber R deeds pp 579.

Thomas J Wilburn
Elizabeth Wilburn
his wife
To
Samuel Beatty Jr.
and George Kennedy

Deed

dated Nov 1/55

Cons $8000.

Grant bargain and sell, unto 2d party, and unto their heirs and assigns forever. All that certain tract or parcel of land situate in the County of Santa Clara in the State of California, and bounded and described as follows. Commencing at a Sycamore tree marked A thence running an Easterly direction along the line of the land of Mary Jane Bassham and a continuation of the same until it strikes the fence and runs 10 feet beyond the said fence being about 2500 varas thence at right angles varying West parallel with said fence and being 10 feet beyond said fence 1000 varas to a stake marked B thence at right angles varying North in a Westerly

direction about 1800 varas to the bank of the Arroyo de los Gatos. thence down the same to the place of beginning. Containing 400, acres more or less

Thomas J. Wilburn (seal)
E A Wilburn (seal)

Ackd Nov 7/55
Before L Archer Jr.

Recorded Nov 7/55
Liber H deeds pp 695.

Augustin Narvaez
Maria Josefa Higuera
William R Bassham
Craven P. Hester
To
Asa Vestal.

Deed

dated Sep 21/57

Cons $500.

remise release and forever quit claim and convey unto the said Asa Vestal his heirs and assigns forever the following described tract of land situate in said County of Santa Clara and being a portion of a tract of land known as the Rancho "San Juan Bautista". Beginning at a rock placed between 2 Sycamore trees on the Southern bank of the Los Gatos Creek running thence South 28° 35' East 1000 varas thence in the same direction to a stake 15 feet South of Wm R Bassham's Southern fence thence North 71° 38' East parallel with said fence

55

to a stake in Isaac Branhams Western line thence North 18° 32' West (2.75) two and seventy five hundredths chains to a stake at the North Western corner of said Isaac Branhams land thence in a North Western direction to a stake in a line drawn at right angles to the first above mentioned course and from the Southern extremity of said course said stake being 100 varas from the Southern extremity of said first mentioned course thence North 28° 35' West 3342 feet to the Los Gatos Creek, thence up the said creek to the place of beginning. Containing 475 acres more or less.

Augustin his + mark Narvaez (seal)

Maria Josefa Higuera + her mark Narvaez (seal)

W B Basham (seal)

Ackd Sep 21/57

By Augustin Narvaez

M. J. H de Narvaez his wife

and W R. Basham.

Note, This deed is neither signed or acknowledged by Hester.

Recorded June 5 1859
Liber Deeds pp 144.

3d Judicial District Court Santa Clara County State of California

James E Boulden

vs

Henry Clarkson
Jacob Q Hoppe

by

J. W. Johnson
Sheriff

To

Lucy Hoppe

now

Lucy Harper

Deed

Dated Dec 29/59

Cons $151.

Whereas a Judgment was rendered on the 17th day of May A D 1852. in above entitled action in favor of plaintiff against Henry Clarkson and Jacob Q Hoppe for the sum of $700. debt and $500. interest and costs of Court - that upon said Judgment a writ of Fieri Facias

was issued out of the office of the Clerk of said Court under the private seal of said Clerk there being no official seal then provided, which was dated Jany 5/53 to me directed on said last mentioned day, levied on &c, all the right title claim and interest of Henry Clarkson one of the defendants in said writ named of in and to the Lands, Tenements, &c, hereinafter particularly set forth &c, that on Jan 11/53 I gave public notice by an advertisement printed on that day in the weekly Newspaper published in the County aforesaid and also by posting a copy of said advertisement in three of the most public places of the County aforesaid including three of the most public places in the Township where said Land &c were situated particularly describing said land, that the same would be offered at public auction between the hours of 9 O Clock A M and 5 O Clock P M on Saturday Feby 12/53 at the Court House Door in the City of San Jose for cash in hand to satisfy said

Judgment &c and that about 12 O'clock
M. on said last mentioned day. I sold
said Real Estate to George Gordon
for $5800 said Gordon being the highest
bidder &c, that the name of said purchaser
and the amount bid was thereupon
immediately endorsed upon said writ.
That within three days thereafter a certificate
of said Sale was made in due form of
law and tendered to said George
Gordon and payment of his said bid
demanded. that said Gordon declined
to receive said certificate and refused
to pay the amount of said bid or
any part thereof the said George
Gordon still refusing or neglecting
to complete said purchase on Feby
25/53 I gave public notice by ad-
vertising in the weekly newspaper
aforesaid and by posting a copy of
said advertisement in three of the
most public places in the Township
where the Real Estate aforesaid
was situated stating that
Whereas the said Real Estate was

purchased at Sheriffs sale in Feby 12/53
by George Gordon who had failed to
complete his purchase - and that be-
tween the hours of 9 A M and 5 P.M.
on Monday Mch 21/53 I would offer
the said Real Estate for sale at auction
in front of the Court house doors in
the City of San Jose to the highest bidder
for cash in hand on account of George
Gordon to satisfy said writ &c

That on said 21st of March at
about 12 O Clock M. at the place
aforesaid said premises were struck
off to Lucy Hoppe for $151. said
Lucy Hoppe being the highest bidder
and that the highest sum bidden
for the same. upon receipt of said sum
I issued to said purchaser such cer-
tificate as is required by law. and
a certificate of said sale was duly
filed in the office of the County Re-
corder of the County aforesaid and 6
months after such sale having ex-
pired without redemption of said
premises having been made,

Witnesseth that for and in con-

sideration of the sum of money above mentioned to me in hand paid, do grant, sell and convey unto said Lucy Hoppe now Lucy Harper her heirs or assigns, All the Estate, right title claim or interest of said Henry Clarkson, one of said Defendants against whom said writ was issued as aforesaid, whereof he was seized or possessed on the day on which said levy was made, of in and to that tract of land situate in the County of Santa Clara and known as the Rancho de San Juan Bautista or Narvaez Rancho bounded on the South by the Rancho or land of Juan Bernal or the Mesrs Bernals and the Rancho de Capitanillos - extending Westerly to the foot of the hills to the East of the Blue Mountains to the Gates Creek - from here Easterly to the road from the Pueblo de San Jose to Monterey from here Southerly following the aforesaid road until it

arrives at a point parallel with the Northern line of the land of said Bernals - from here until it arrives at and accompanying said line on the Bernals - from here until it arrives and intersects the point of beginning containing in all two leagues more or less.

Ackd Dec 29/59
Before Jno B Newson
County Clerk

Recorded Dec 30/59
Liber J of deeds pp 391.

George Kennedy
To
George W Jenkins

Mortgage

dated Oct 4/60

Covers 400 acres of San Juan Bautista Rancho.

To secure payment of $2500 in 12 months.

Reserved right of 2d party to pay all liens taxes &c and sums so paid to bear 3% per month interest and principal and interest to be secured by this mortgage.

Recorded Oct 5/60
Libr D Mortgs pp 243

Assigned Mar 24/65
by Geo W Jenkins to F Crevolin
Assignment Recorded Mch 25/65
Libr H Mortgages pp 33

~~No Release~~

Released see page 75

60

Asa Westal
To
George Kennedy.

Deed

dated Nov 9/63.

Cons —

remise release and quit claim unto 2d party and to his heirs and assigns forever All the right title interest claim and demand whatsoever of the said first party of in and to that piece or parcel of land lying being and situate in the County of Santa Clara aforesaid described as follows to wit. Commencing at a Sycamore tree marked "A" on the South bank of the Arroyo de los Gatos, thence running an Easterly direction along the line of the land formerly belonging to Mary Jane Bassham and a continuation of the same until it strikes the fence formerly of William R. Bassham, and ten feet beyond the said fence being about 2500 varas thence at right angles varying West parallel with said fence and 10 feet

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beyond 1000 varas to a stake marked B. thence at right angles varying North in a Westerly direction about 1800 varas to the bank of the Arroyo de los Gatos. thence, down the said Arroyo to the place of beginning. Containing 400 acres more or less. and being the same land now occupied by the said George Kennedy.

It is expressly understood that it is not intended by this conveyance to convey to the said Kennedy any right title or interest heretofore conveyed by said Vestal to Theophilus Kirk, Socrates Kirk and John H. Kirk by deed dated February 20th 1860 and recorded in the Recorders office of said County in Book H of deeds pages 282 and 283.

Asa Vestal {seal}

Ackd Nov 18/63
Before John N Owen N.P.
Recorded Nov 18/63
Liber R deeds pp 577.

Craven P Hester
To
George Kennedy

Deed

dated Nov 18/63

Cons $1~

remise release and quit claim unto 2d party and to his heirs and assigns forever. all the right title interest claim and demand of 1st party of in and to the tract or parcel of land situated in the County of Santa Clara aforesaid bounded and described as follows - Commencing at a Sycamore tree marked "A" on the South bank of the Arroyo de los Gatos, thence running in a South Easterly direction along the South Westerly line of the land of Kirk until it strikes the fence formerly of Wm R Bassham and ten feet beyond the said fence formerly erected by said Bassham thence at right angles varying West parallel with said fence and ten feet beyond 1000 varas to a stake marked B thence at right angles varying North in a Westerly direction

about 1000 varas to the bank of the Arroyo de los Gatos thence, down the said Arroyo to the place of beginning. Containing 400 acres more or less. and being the same land now occupied by said George Kennedy.

C. P. Hester Esqr

Acknd Nov 13/63
Before J. W. Owen N. P.

Recorded Nov 13/63
Liber R deeds pp 576.

Lemuel W. Hoover
To
George Kennedy

Deed

dated Nov 1/63

Cons $50.

remise release and quit claim unto 2d party his heirs and assigns forever. all the right title and interest claim and demand of 1st party of in and to all that certain piece or parcel of land situated in the County of Santa Clara bounded and described as follows. Commencing at a Sycamore marked "A" on the South bank of the Arroyo de los Gatos thence running an Easterly direction along the line of the land formerly belonging to Mary Jane Bassham and a continuation of the same until it strikes the fence formerly of Wm R Bassham and ten feet beyond said fence being about 2500 varas thence at right angles varying West parallel with said fence and ten feet beyond

63

1000 varas to a stake marked B
thence at right angles varying North
in a Northerly direction about 1800
varas to the bank of the Arroyo de
los Gatos thence down the said
arroyo to the place of beginning.
Containing 400 acres more or less
and being the same land now oc-
cupied by the said George Kennedy.

Lemuel H Hoover (seal)

Ackd Nov 2/63
Befor L C Rostick
County Recorder
by Jas V Fiscalle Deputy.

Recorded Nov 3/63
Liber R deeds pp 567.

Joseph Robert
To
Lemuel H. Hoover.

Release of Mortgage
dated Nov 11/63
Cons. premises and $10.00
Whereas said Hoover made a Mortgage to Jos. Robert dated March 25/63 conveying all said Hoovers right title &c in and to the land hereinafter described and other property ~ Recorded E Mortg pp 750.
Now therefore Releases the property in question.

Ackd Nov 12/63
Before L. C. Bostick Recorder
By Jas. T. Tisdall Deputy

Recorded Nov 13/63
Liber A Releases of Mortgs pp 319

64

George Kennedy
Lucy E Kennedy
his wife
To
Jacques Travis

Deed

Dated Nov 16/63

Cons $ 9.500.

Grant bargain sell alien remise release convey and confirm unto 2d party and to his heirs and assigns forever. All that tract or parcel of land situate in the County of Santa Clara bounded and described as follows to wit. Commencing at a Sycamore tree marked "A" thence running an Easterly direction along the line of the land formerly belonging to Mary Jane Bassham and a continuation of the same until it strikes the fence formerly erected by Wm R Bassham and 10 feet beyond the said fence being about (2500) varas thence at right angles varying West parallel with said fence and ten feet beyond

65

1000 varas to a stake marked "B"
thence at right angles varying North
in a Westerly direction 1500 varas to
the Arroyo de los Gatos thence
down the said Arroyo to the place
of beginning. Containing 400 acres
more or less and being a portion of
the Rancho San Juan Bautista
and the same land now occupied
by the said George Kennedy however
otherwise the same may be
described.

Covenant that first party is lawfu-
ly seized of an absolute Estate in
premises of inheritance and of right
to grant bargain sell and convey the
same. Against all incumbrances and
that first party at reasonable request of
grantee will make all necessary fur
ther deeds &c. Full covenant of Warranty.

George Kennedy (seal)
Lucy E Kennedy (seal)

Ackd Nov 16/63
Before Chas W Cook N.P. San Francisco Co
Recorded Nov 18/63
Liber R deeds pp 592

John Herzo
To
George Kennedy.

Deed

dated Nov 16/63

Cons $1 —

Grant bargain sell convey and confirm unto said party of the 2d part his heirs and assigns forever. All the right title and interest of 1st party of in and to all that certain tract or parcel of land situate in the County of Santa Clara State aforesaid bounded and described as follows to wit. Commencing, on the Southerly side of the Arroyo de los Gatos at a Sycamore tree marked "A" thence running an Easterly direction along the line of the land formerly owned by Mary Jane Bassham, and a continuance of the same until it strikes the fence, and ten feet beyond the said fence being about 2500 varas thence at right angles varying West

parallel with said fence and 10 feet beyond 1000 varas to a stake marked B thence at right angles varying North in a Westerly direction about 1800 varas to the bank of the said Arroyo. thence, down the said Arroyo to the place of beginning. Containing about 400 acres. Being the same land now occupied by 2d party.

John Herzo (Seal)

Ackd Nov 16 1863
Before F. J. Thibault N.P.

Recorded Nov 19/63
Liber R deeds p.p. 596

Jacques Travis
To
F. Crevolin

Mortgage

dated Nov 17/63

Covers 400 acres San Juan Bautista Rancho.

To secure payment of $7000 in 6 months from date. Interest at 1½% per month

Counsel fees 5% on amount due at foreclosure.

Reserved right of second party to pay present liens taxes &c. or those to accrue and impose interest on such payments at 2% per month all to be secured

Recorded Nov 18/63
Liber F. mortgages pg 572

Released
Liber B. of Releases pg 25
See Release

Page 84

67

Jacques Travis
To
George Kennedy

Release of Warranty
dated Nov 18/63
Cons $500

Release and forever discharge said George Kennedy his heirs executors and administrators from all actions debts contracts, agreements, and demands whatsoever in law and equity I ever had or now have or my Executors or Administrators hereafter shall have by reason of a certain deed of warranty for about 400 acres of land in Santa Clara County made by said Kennedy to me Nov 16/63 so far as the same may bind said Kennedy to pay and cancel of record a mortgage made by said Kennedy to me Geo W. Jenkins dated October 4/60 and Recorded Oct 5/60 in Book D Mortgages pp 243 &c, which said Mortgage and payment of promissory note therein I hereby assume. and hold harmless

Bard Kennedy.
Witness
Chas B Jennings

Proven Aug 5/64
Before
John Garner. N.P.
San Francisco Co.
By C B Jennings
Subscribing Witness

Recorded Aug 16/64
Liber B. Mis p 212.

3rd District Court.

In the District Court of the 15th Judicial District of the State of Cal. in & for the City & County of San Francisco.

George W. Jenkins

— vs —

George Kennedy
Jacques Travis
F. Crevalin

Lis pendens

dated Aug 19/64

(?)

To foreclose Mortgage of Kennedy to Jenkins dated Oct. 4/60. Recorded Liber D mortg pp 243

Recorded Aug 19/64
Liber B. misc. pp 214

I do not find this case among the indexes of the 3d Dist Court.

Mortgage released see page 75

Jacques Traves
To
Charles Francois
Joseph Jacquelin
Alfred Rodonan

Lease

dated Sep 27/64
Of property in question and personal property
for 6 years from Oct 1/64 to Oct 15/70
for $5800 in Gold Coin
To be paid as follows $300 in Cash on signing of this Lease and 4000 fruit trees to be bought and planted at Lessees expense in proper Line

6000 vignes of the french variety also at Lessees expense to be cultivated in Farmerlike manner and $500 on Aug 1/65

$500 Dec 1/65 — $500 Aug 1/66
$500 Dec 31/66 — $500 Aug 1/67
Dec 31/67 — Aug 1/68 $500 Dec 31/68

and Aug 1/69.
Dec 31/69 – Aug 1/70 – ending above Lease Oct 15/70.

In case of death of any fruit trees or vignes 2d party to replace them and deliver all at termination of Lease in Good Condition

Ackd Sep 27/64
Before
J. Thibault N.P.
San Francisco Co

Recorded Sep 28/64
Liber A Leases pp 319.

State of California
Justices Court San Jose Township
County of Santa Clara

John O Keefe

vs

J Travis

Attachment
Demand $218 00
Interest 2% per month
from Aug 10/64
Returned Oct 24/64
Levied on property in question
Robert Scott
Constable of San Jose Township

(?)

Filed Oct 27/64

In docket of Justice C. G. Thomas page 225
" Suit dismissed and note withdrawn

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3rd District Court Santa Clara County
California

The People of the
State of California — Case No. 590/20

vs

J. Travis, John Doe
Richard Roe and Real
Estate and Improvements
hereinafter described — Register of 1864
pp 20.

Jany 13/65 Complaint filed to recover judgment
for $90.52 against said defendants
"and separate judgment against
"400 acres of Narvaez Rancho bound-
"ed North by Los Gatos Creek East
"by Kirk South by land of Young
"& Jones, West by Ware" for $59.52
Docket Register and Indexing Case.

Feb 13/65 Summons issued

Aug 5/65 Summons returned filed

— Copy endorsement —

"Sheriffs office of the City and County
"of San Francisco. I hereby certify that
"I received the annexed summons
"on the 5th day of April AD 1865

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"and personally served the same on
"the 31st day of July AD 1865 upon
"J Traves (as J Trevis) the therein
"named defendant by delivering
"to the said defendant personally
"in the City and County of San Fran-
"cisco a copy of said Summons
"attached to a certified copy of
"the complaint in said action
San Francisco July 31st 1865.
(sgd) "Henry L Davis Sheriff
"by George Childs Deputy.

(?)

Nothing further Sept 5, 1913

George W. Jenkins
To
T. Crevolin

Assignment

dated Mch 24/65

Cons $3192.00

Grant bargain sell transfer and set over unto Second party - a certain Indenture of Mortgage - dated October 4/60 made by G Kennedy to first party to secure payment of $2500 and interest at 2½ per cent per month which said Mortgage was duly recorded Octo 5/60 in Book D of Mortgages pp 243. with the premises therein described and the money due and to grow due thereon Usual power of Attorney

Ackdgd Mch 25/65
Before E. P. Peckham N. P.
San Francisco Co.

Recorded Mch 25/65
Liber H. Mortgs pp 33.

73

Jacques Travis
To
Victor Nicolas

Mortgage

dated July 31/65
Covers 400 acres San Juan
Bautista Ranch:
property in question

To secure payment of $3000 in 10
months after date Interest at 1½
% per month.

Reserved right of 2d party to pay
all liens taxes &c present to accrue
and charge 1½ % per month
and same to be secured hereby.

Recorded Aug 2/65
Libr H Mortgages pp 202

Cancellation
on Record a
Lib B. of Rel. of Mort
p 257 — see p 85

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Fidel Crevolin
To
Geo. W. Kennedy.

Release of Mortgage.

dated July 31/65

Cons $3431.40

Whereas the said Kennedy made a Mortgage - Recorded at Book D of Mortgages pp 243. Conveying all said Kennedys right title and interest in and to land hereinafter described &c. (to Geo. W. Jenkins who assig^d to Crevolin)

Now therefore Releases the property in question.

Ackd July 1/65
Before Henry Haight J.P.

Recorded Oct 12/67
Liber B of Releases pp 87.

See pp. 31. Orig. abst

J. J. Travis
To
C. Francois
A. Redonan
– Joaquellin

Lease

dated Sept 18/65

On property in question for 3 years from 29th Nov/65 to Nov 28/68 on payment of $600. Nov 28/65 $600 Aug 15/66 $600 on Aug 15/67 $600. Nov 15/67 $600 Aug 15/68.

Surrender of same from Nov 1/66 Cons $1^{00}

signed dated Oct 31/66

J Traves (seal)
A Redonan (seal)
J Jacquelin (seal)
C Francois (seal)

Ack'd only by Traves & Redonan Aug 8/67 – before Otis V Sawyer N.P. San Francisco County

All

Recorded Aug 13/67
Libr A Leases pp 572

76

The above Lease is Recorded
not acknowledged Oct 8/65
Libri A Leases pp 421

L W Hoover
To
A W Bell
Joseph C. Judd

Deed

dated Aug 9/65

Cons $1,00 and Services rendered

Grant bargain sell alien release remise convey and confirm unto 2 parties their heirs and assigns forever. All those certain premises lying and being in the County of Santa Clara and State of California, and known as the San Juan Bautista or Narvaez Rancho and being the same premises granted by the Spanish Government or Mexican Government to Augustin Narvaez

Covenant of Warranty

Witness Thomas Bodley

Proven by oath of Thomas Bodley subscribing witness Dec 10/67 before M Leavenworth Co Recorder

Recorded Dec 15/67

Liber 8 of deeds pp 7.

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Third District Court Santa Clara County, California

The People of the State
of California
vs
J Travis. John Doe
Richard Roe and Real Estate
and improvements hereinafter
described

Case No 25
Regr of 1865
pp 25
Decree No 94.

Jan 6/66 Complaint filed to recover $91.00 vs Defendants and separate Judgment vs Real Estate for $57.60 and vs Improvements for $24.00 State and County Taxes of 1865 - Real Estate described as "400 acres of Narvaez Rancho bounded North by Los Gatos Creek. East by Kirk South by land of Young & Jones West by Ware.

" 18. Summons issued

Apl 5/. Summons filed on return

(Endorsed)

"State of California }
"Santa Clara County } ss I hereby certify that I
"have served this Summons on the within described
"land this 4th day of March 1866. by posting
"a true copy hereof on the premises and serving
"a true copy on occupant Charles Farnsworth

"in said County" — Defendant is not in said County

(sgd) J H Adams Sheriff

By R B Hall Under Sheriff

May 14/66 Decree rendered for $91 ½ and costs $37.58 — personal judgment and judgment against said Real Estate.

Decree entered

Decree Book B pg 95.

Dec 15/66 Satisfaction entered on margin on return of Execution fully satisfied by

A. E. Pomeroy

Clerk.

Receipt for Tax and District Attorney fees by

D N Herrington District Attorney

Receipt for Court Commissioners Costs by

C B Younger

(Same date)

Dec 14/66 Order of Sale returned by Sheriff Satisfied in full.

Third District Court Santa Clara County
California.

The People of the State
of California — Case No 440

— vs —

J. Trevis and 420 acres of the — Register of 1866
Navarez Ranche, bounded North by Los Gatos — pp 60
Creek, East by lands of Kirk - South by — Decree No 157
lands of Young and West by lands of Ware

Jan 14/67 Complaint filed to recover amount of State and County Taxes for fiscal year 1866 - asks for personal judgment of $115.87 and separate judgment vs Real Estate of $78.62 and vs Improvements of $37.25

18" Summons issued

Apl 1/ Summons filed on return Endorsed -
State of California County of Santa Clara ss. I hereby certify that I have served the within Summons on the Real Estate herein described - by posting a true copy hereof on the said premises in a conspicuous place, And I further certify and return that I served the same, on the 26th day of March 1867 and that on same day and year aforesaid I served the said summons on Charles Francois who was the occupant of the land by delivering to him a true copy hereof and I further return that after diligent search

and inquiry I have been unable to find the person of defendant Tavis March 27th 1867 (sgd) D H Adams Sheriff

By R B Hall Under Sheriff

May 17/67 Cause referred to Court Commissioner

Default entered Decree reported

Judgment Entered — Roll filed

Copy of Entry on Register

" Paid in full and suit settled and dismissed this Sept 18th

" (86)

A E Pomeroy Clerk

By Chas Silent Deputy.

Decree Book B pp 40

Satisfaction of this Judgment entered on the 10th day of September 1867. on payment of Costs and Taxes. Sheriffs Fees paid

(Sgd) A E Pomeroy Clerk

per Chas Silent Deputy

Dr A. W. Bell of San Jose
died
August 26 - 1867

Leaving Widow and two
Minor Children
who reside at San Jose, Cal.

80

Samuel G. Beatty, Junior.

To

Jacques Traves.

Deed

dated Oct 2/67

Cons $5.00

Remise release and quit claim unto 2d party his heirs and assigns forever. All that certain tract &c. of land situate in the County of Santa Clara and State of California Bounded and described as follows. to wit. Commencing at a Sycamore tree marked "A" thence running in an Easterly direction along the line of the land of Mary Jane Bassham and a continuation of the same until it strikes the fence and runs 10 feet beyond the said fence, being about 25 00 varas: thence at right angles varying West parallel with said fence and being 10 feet beyond said fence 1000 varas to a stake marked "B" thence at right angles varying North in a Westerly direction about 18 00 varas to the bank of the Arroyo de los Gatos thence down the same to the plac

81

of beginning. Containing 400 acres more or less and being a portion of that certain tract of land known as the Rancho San Juan Bautista

Ackd Oct 2/67
Before Geo C. Waller N.P.
San Francisco County

Recorded Oct 22/67
Libro Z of deeds pp 324

Jacques Graves
To
Edward J Pringle

Deed

dated Oct 11/67

Cons $20.000.

Grant, bargain and sell unto 2d party his heirs and assigns forever.
(Same land derived from Beatty on pp. 81. of this abstract.)

Ackd Oct 11/67
before Wm Huefner N.P.
San Francisco County

Recorded Oct 12/67
Liber Z of deeds pp 228.

Joseph C. Nudd
To
George Donner

Deed

dated Dec 11/67

Cons $500

Grant bargain and sell unto Sd party his heirs and assigns forever. All those certain premises lying and being in the County of Santa Clara and State of California and known as the San Juan Bautista or Narvaez Rancho and being the same premises Granted by the Spanish or Mexican Government to Augustin Narvaez.

Ackd Dec 11/67
Before Chas G Thomas N P.

Recorded Dec 12/67
Liber 8 of deeds pg 9.

F. Crevolen
To
Jacques Traves

Release of Mortgage
dated Dec 19/67
Cons $7000.

Whereas the said Traves made a Mortgage to F. Crevolen dated Nov 17/63 conveying all said Traves' right title and interest in and to land hereinafter described Recorded F Mortgages pp 372. 373. 374

Now therefore releases the property in question

Acknd Dec 19/67
Before G. W. Schilles
U. S. Vice Consul
of U. S. of America at Marseille France
Recorded Feby 5/70
Liber B. Releases pp 257.

See Page 69 - abstract

Victor Nicolas
To
Jacques Traves.

Release of Mortgage.

dated Dec 19/67

Cons $3000. and interest.

Whereas said Traves made a certain Mortgage to Victor Nicolas, conveying all Traves right title and interest in and to property hereinafter described as Recorded in Book H mortgages pp 202. dated July 31/65. Now therefore the same is fully paid satisfied and discharged.

Ackd Dec 19/67
Before J. W. Achilles
U. S. Vice Consul. of U S of A
at Marseilles France

Recorded Feb 4 5/70
Liber B of Releases pp 257.

85

The People of the State
of California
Plaintiffs

vs.

J. Travis John Doe
Richard Roe, and the
Real Estate and the
improvements hereinafter
described.

Case No 239.

Reg.r of 1867.

Dec 30/67 Complaint filed to recover taxes to the amount of $135.20 on 420 acres of Navaez Rancho bounded North by Los Gatos Creek, East by land of Kirk South by land of Young West by land of Ware. Also the improvements thereon.

Jan 6/68 Summons issued

Oct 17/68 Summons returned endorsed
"Office of the Sheriff of the
"County of Santa Clara } I hereby certify
"that I personally served the annexed
"Summons on the 16th day of October
"AD 1868 on the Real Estate and im-
"provements described in said annexed
"Summons, by posting a true copy

"thereof in a public place in each parcel
"of said premises, personally, at Santa
"Clara County State of California
"And also by delivering a true copy
"thereof personally at said County
"and State, to J F Woodson who
"I found in possession of and oc-
"cupying the same. I further testify
"that I have made due search and inquiry
"to find the within named Defendant
"J Travis, and that I was unable to
"find him in my County.
"Dated San Jose this 16th day of October AD 1865.

"J H Adams Sheriff
"By A Tellman Depty Sheriff"

Jan 13/69 Decree and order of sale issued
(For Return see below)

Jan 13/70 Notice for writ of assistance issued

Jan 14/70 Affidavit in writ of assistance filed

Jan 15/70 Return of notice

July 3/69 Order of Sale returned.
Shows sale by Sheriff of
"420 Acres of Narvaez Rancho
"Bounded North by Las Gatos
"Creek, East by land of Kirk,
"South by land of Young,
"West by land of Ware, also
"the Improvements thereon
"and all owners of said
"above described Real
"Estate and improvements
"whether known or unknown,
in front of the Court House, in
the City of San Jose July 3/69 at
12 o'clock M. After notice
&c. to J H Logan for $199 46/100
in one parcel.

Mr. Pringle
for contents of deed
see p. 108

In the County Court Santa Clara County
California

The San Jose Water Company

vs

J. T. Pringle et als

Notice of filing petition to condemn use of lands for reservoirs, laying of pipe, flumes, ditches &c, from a fountain the West bank of Los Gatos Creek below Forbes Mill &c, to junction of said Creek with the Guadalupe - and also the waters of said Los Gatos Creek.

Bodley & Rankin Attys

Recorded Aug 29/68
Liber 1 Lispendens pp 88.

In examining this case I see that the course of the Water Company's line does not cross the land in question

This is settled by giving to the P. Carlson and A. Wattson

Third District Court Santa Clara County California

The People of the State of California

vs

Edward J Pringle John Doe Richard Roe and Real Estate and improvements hereinafter described.

Case No 290

Reg. of 1868 pp 263.

Jany 4/69 Complaint filed to recover State and County Taxes for 1868 amounting to $165.49 on separate and personal judgment

" 16/" Summons issued (no papers on file)

No Decree entered

April 7/70 Suit entered dismissed

Mr. Powell settle

Edward J. Pringle
To
Alfred Robinson

Deed

dated Jany 27/69

Cons $35.000

Grant bargain and sell unto second party his heirs and assigns forever. All that certain piece &c of land &c

part of the Rancho San Juan Bautista, and bounded and described as follows to wit:

Commencing at a Sycamore tree marked "A" on the banks of Los Gatos Creek running thence in an Easterly direction along the line of land formerly belonging to Mary Jane Bassham and a continuation of the same until it strikes the fence formerly erected by Wm R Bassham and 10 feet beyond the said fence, being about 2500 varas: thence at right angles varying West parallel with said fence and 10 feet beyond 1000 varas to a stake marked "B" thence at right angles

varying North in a Westerly direction 1880 varas to the Arroyo le los Gatos aforesaid – thence down said Arroyo to the place of Beginning. Containing 372 acres – more or less – and being all the tract of land now occupied by first party.

Ackd Jany 27/69
Befor James G Carson N.P.
San Francisco County

Recorded Jany 29/69
Liber 12 deeds pp 510.

Third District Court Santa Clara County
California

The People of the
State of California
—vs—
E. J. Pringle
John Doe, Richard Roe
and the Real Estate and
improvements hereinafter
described.

Case No. 180
Register of
1869-70
pp 180

Dec 29/69 Complaint filed to recover the sum of $180-31 Total Tax - asks for personal Judgment of $180.31 and Judgment vs the property for same amount

Property described as
"The following described Real Estate and
"Improvements, to wit; that certain piece
"or parcel of land, situate in San Jose
"Township in said County and State
"and known as 375 acres of land bounded
"North by Los Gatos Creek, East by land
"of Kirk, South by land of Hester
"West by land of Wathy & Lee"

Summons issued

(over)

See letter on next p. 98

91

Register entry:

On payment of tax $80.31 & costs, this suit entered settled and dismissed this 7th day of April 1870.

Jno. M. Littlefield, Clerk.

By W. B. Hardy, Deputy.

Entered by San Jose Abstract Co.

By F. E. Brockhage
SEARCHER.

Third District Court Santa Clara
County California.

The People of the State
&c
vs
J Traves. John Doe
Richard Roe, and
Real Estate hereinafter
described and Improvements &c,
By Sheriff
To
J. H. Logan.

Deed

dated Jan 8/70

Cons $

Whereas on January 13/69 in aforesaid cause a judgment was rendered in favor of Plaintiffs and against defendants for $135.20 in Gold and Silver Coin for delinquent Taxes for State and County purposes - which had attached and became a lien on the said Real Estate and improvements on March 1/67 - together with $43.75 Costs of suit and all accruing costs - which said judgment &c, amounted

on day of sale hereinafter mentioned to the sum of $199.16 and whereas in said Judgment it was ordered that said premises should be sold at public sale by the Sheriff to satisfy said judgment &c,

On May 28/69 - by virtue of said Judgment and order of sale &c. I levied on and advertised the said premises for sale by publication of the notice of such sale once in each week for three weeks next preceding the day of sale therein mentioned in the San Jose Mercury a newspaper published in the City of San Jose in said County and State and I posted during same time copies thereof in 3 of the most public places in said County and 3 of such notices in 3 of the most public places in the Township where said premises were situated - and I posted copies of such notice in conspicuous places on said premises for 3 weeks immediately preceding such day of sale - And upon such day of sale viz July 3/69 at 12 O Clock M of that day at the Court House Door in said City County and State - I as such

Sheriff according to Statute sold said Real Estate and improvements to J H Logan for $179.14 in Gold and Silver Coin. Total amount of Judgment and all costs accrued said Logan being the bidder who would take the smallest quantity of said Real Estate and improvements and pay said Judgment and costs - and no person offering to take a less quantity than the whole of said Real Estate &c and pay said Judgment and costs.

And 6 months having fully elapsed and no redemption having been made of said Real Estate or improvements or any part thereof - And I as such Sheriff delivered to purchaser a certificate of sale - Now therefore on demand &c. I grant bargain sell and convey unto said J H Logan his heirs and assigns forever the tract of land described as follows, to wit: 420 acres of land of the Narvaez Rancho bounded on the North by the Los Gatos Creek - East by land of Kirk South by land of Young and West by land of Ware, and also the improvements

thereon and all right title and interest estate claim and demand of all owners and claimants known or unknown, of in and to the above described Real Estate and the improvements thereon.

Acknd Jany 5/70
Before Jno B Hewson County Clerk
By U E Squires Deputy Clerk

Recorded Jany 5/70
Libr 7 of deeds pp 102.

Note. The certificate of sale above referred to is not on file in the County Recorders Office.

3d District Court Santa Clara
County California
Joseph H Johnson
vs
Henry Clarkson

Judgment

For $303.25 Interest at 10 pc
per annum

Dated March 1/51

Recorded March 1/51
Liber A of Judgts pp 70

3rd District Court Santa Clara County.

Joseph H Johnson
vs
Henry C Clarkson

Judgment

For $1011. and interest at 10% per annum and costs

Recorded Inct 151
Libir A Judgts pp 71

Fourth District Court, San Francisco County.
Isaiah C Hoods
vs
Henry Clarkson
et als

Judgment
rendered Nov 24/51 for $3293 33/
5% per month interest $349 50
costs.
Docketed in said Court
Judgt Book - pp 192

Recorded in Santa Clara County Recorders Office on Nov 25/51
Libri A Judgts pp 123.

J. C. Cobb
vs
A Clarkson

Transcript from Justices Court

In $232 80 Debt
5 50 Costs

Transcript filed Apl 27/52
Docketed Sep 17/52

J W Redman
vs
Henry Vanderslice et als

Case No 108

Judgment rendered Nov 5/53
Judgment entered Book 13 pp 10
for $280- possession of property on
Market Square and Costs.

On this last Judgment there appears
to have been a sale to plaintiff for
$3270 - of certain property on Market
Square.

Judgments
3d District Court Santa Clara
County California.
Josiah Belden
vs
Henry Clarkson

Judgment rendered May 17/52
Entered Judgt Book A pp 287
for $2740 debt. Interest at 5% per mo.

Andrew J Gates
vs
Henry Clarkson

Judgment rendered Aug 2/52
Entered Judgt Book A pp 293
for $1000. on attachment

Taxes.

1862

1863

1864 — Assessed to J. Trevis see p 170 of Tax Roll & p 32 of Delinquent Roll ~~Not assessed~~ see suit p 72 of above

1865 Went to suit. Judgment entered and Satisfied Dec 15/66 pp 95 Tax Judgment Book

1866 Went to suit Judgment entered and satisfied Sep 15/67 p 40. Tax Judgment Book.

1867 Went to suit see pp 86 hereof

1868 Went to suit " " 89 "

1869 Now in suit " " "

N 1807 April suit dismissed

A deed by E. J. Pringle to San Jose Water Co. was filed Dec 1/69 and withdrawn by A. L. Boggs Dec 16/69 - without being recorded.

The Estate of A. J. Yates deceased was settled up in this County, but at the present the Searcher deems it unnecessary to put the Owner to the Expense of an Abstract of proceedings pa=

ticularly as it is known that the title was compromised by an after deed to Yates of a tract of the San Juan Bautista Rancho, which deed is of record; but it does not appear as a compromise deed.

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Continuation

to July 9th 1874

Edward J. Pringle
To
Hester Quackenbush
Widow

Mortgage

Dated 13 August 1868

To secure the payment of $2500 cs interest &c.

Conveys all that certain tract or parcel of land in the County of Santa Clara State of California, being part of the Ranch San Juan Bautista, Commencing at a Sycamore tree marked "A" on the Arroyo de los Gatos, running thence in an Easterly direction along the line of land formerly belonging to Mary Jane Bassham and a continuation of the same till it strikes the fence formerly erected by Wm R. Bassham and ten feet beyond the said fence being about 2500 varas, thence at right angles varying West parallel with said fence and ten feet beyond 1000 varas to a stake marked "B", thence at right angles varying North

in a Westerly direction 1800 varas to the said Arroyo de Los Gatos, thence down the Arroyo to the place of beginning containing 400 acres of land more or less

Recorded 14 August 1868
Liber L Mortgs pp 470

Released by Deed dated 4 March 1870
Cons. $2500.

Do ~~grant~~ release cancel and discharge the (above) indenture of mortgage (referring to same by date, parties and place of Record) and certifies full payment

(Signed) Nester Quackenbush (Seal)
By Thomas N Quackenbush
Attorney in fact

Witness
James G. Carson

Ackd at City & Co of San Francisco 4 March 1870
Before James G. Carson N. P.

Recorded 5 March 1870
Liber B. Releases pp 270

Hester Quackenbush Stamp $1.00 Cancd

widow

To

Thomas M Quackenbush

Power of Attorney

Dated 18 June 1863

To give releases discharges and quittances of all and any debts or debt demands or demand choses or chose in action or any mortgage pledge or other security for the same x x x To make all instruments in writing with or without seal which he may judge proper for the better carrying out of the powers specifically and generally granted

And generally &c

Witness

John L. Nile

On this 18th June 1863 personally appeared before me Hester Quackenbush to me identified by her own oath to be the same person who executed the foregoing instrument and after such identification she acknowledged that she executed the

same for the uses and purposes therein mentioned

(Signed) John L Hill Jr P.
and Com at law in Sup
Court of State of New York

State of New York }
Schenectady County } SS. I. John A
Clerks Office } Banker Clerk of the
(County Schenectady Seal) County of Schenectady

do hereby certify that John L Hill Esq. whose name is subscribed to the certificate of the proof or acknowledgement of the annexed instrument and thereon written was at the time of taking such proof or acknowledgment a Notary Public in and for the City and County of Schenectady dwelling in said City, Commissioned and sworn and duly authorized to take the same, and further that I am well acquainted with the handwriting of such Notary Public and verily believe that the signature to the said certificate of proof or acknowledgement is genuine and that said instrument is executed and acknowledged according to the laws

of this State, In testimony whereof I have hereunto set my hand and affixed the seal of the said County this 18th day of June 1863

(Signed) James G. Carr Deputy Clerk

Ack'd at County Schenectady State of New York by Nestor Quackenbush 25 Aug. 1863 Before Stephen N. Johnson County Judge of Schenectady County Court State of New York

Recorded at San Francisco and

Recorded Santa Clara County 5 March 1870
Liber B. Power Atty pp 314

Edward J Pringle
To
The San Jose Water Company

Deed

Dated 3 November 1869

Recites whereas the party of the first part is the owner of a certain tract of land lying and being in the County of Santa Clara State of California and between the lands of Ware and Kirk and through which flows a stream known and called Los Gatos Creek and the said party of the second part being a Corporation duly incorporated according to the laws of the State of California. for the purpose of supplying the Town of Santa Clara and the City of San Jose in said County with fresh water is desirous of collecting and diverting from its natural course the waters of said Creek for the purposes aforesaid

Cons. $1.00

Does hereby grant bargain and sell unto the party of the second part

and its successors and assigns. All the right title and interest of the party of the first part in and to the waters of the Los Gatos Creek and also the right of way over the lands of the party of the first part for the purpose of said Company's laying down the pipes and aqueducts necessary for the purposes aforesaid Provided however and this conveyance is made upon the express condition that and so long as the party of the first part his heirs and assigns owner of the said Ranch shall have the privilege and necessary right of way to attach at his own expense and at such point as the party of the first part may select on the said land of Ware or within one mile thereof to the main pipe of the party of the second part a service pipe one inch in diameter and to have the free supply and use of water from the main pipe of the party of the second part through said inch pipe to its full capacity without charge. Excepting which the party of the second part shall for accident or failure of supply

not be able to furnish said water, and the party of the second part hereby consents to the condition and limitation aforesaid and agrees to furnish said quantity of water as aforesaid

(Signed) Edward J Pringle (Seal)

San Jose Water Co Seal

San Jose Water Co. by U N A Mason its President
Wm B Rankin Secretary

Witness to Signature of Pringle
Jas G Carson. The words "on the said lands of Ware or within one mile thereof" having been interlined before delivery

James G Carson

Ackd by Pringle at San Francisco
3 November 1869
Before James G Carson N P

Ackd by President & Secretary of Company
17 June 1870
Before Wm M. Lovell N.P.

Recorded 17 June 1870
Liber 18 Deeds pp 132

J. N. Logan Stamp $2.00 Cancelled

To

Edward J. Pringle

Deed

Dated 5 February 1870

Cons. $2000.

Does grant bargain and sell unto the said party of the second part and to his heirs and assigns forever, all that tract or parcel of land situate in the County of Santa Clara State of California, Commencing at a Sycamore tree marked "A" thence running in an Easterly direction along the line of land formerly belonging to Mary Jane Bassham and a continuation of the same until it strikes the fence formerly erected by Wm R. Bassham and 10 feet beyond the said fence being about 2500 varas; thence at right angles varying West parallel with said fence and ten feet beyond 1.000 varas to a stake marked "B". thence at right angles varying South in a Westerly direction 1800 varas to the

Arroyo de Los Gatos; thence down the said Arroyo to the place of beginning. Containing 400 acres of land more or less; and being portion of the Rancho San Juan Bautista and all the tract or parcel of land now occupied by the said party of the first part

Witness

James G. Carson

Ackd City & County of San Francisco 5 February 1850
Before James G. Carson N. P.

Recorded 5 March 1850
Liber 1st Deeds pp 241

Edward J. Pringle
of the first part
E. W. Burr and
Benjamin D. Dean
of the second part
and the Savings and Loan
Society a Corporation duly
incorporated &c.
of the third part

Deed of Trust

Dated 28. February 1870

Cons. $1.00 and to secure $12,000.00 and interest, and further indebtedness not exceeding at any one time $20.000.00 exclusive of interest &c. that may become due to the party of the third part;

Does hereby grant, bargain, sell convey and confirm unto the said parties of the second part in joint tenancy and to the survivors of them their successors and assigns the piece or parcel of land situate in the County of Santa Clara State of California and described as follows. Commencing at a Sycamore tree marked "A" on the banks of

Los Gatos Creek, running thence in an Easterly direction along the line of land formerly belonging to Mary Jane Bassman a continuation of the same until it strikes the fence formerly erected by Wm. R. Bassam and 10 feet beyond the said fence being about 2500 varas, thence at right angles varying West parallel with said fence and 10 feet beyond 1000 varas to a stake marked "B". thence at right angles varying North in a Westerly direction 1880 varas to the Arroyo de Los Gatos aforesaid, thence down said Arroyo to the place of beginning Containing 3 1/2 acres of land more or less and also all the Estate and interest homestead or other demand as well in law as in equity which the said party of the first now has or may in anyway hereafter acquire of and to said premises

Upon trust upon

payment of all sums of money due or hereafter to become due upon advances to be made &c. then the parties of the second part the survivor of them their successors and assigns shall reconvey all the estate in the premises aforesaid to them by this instrument granted unto Edward J. Pringle his heirs

and assigns at his and their request and cost

Witness

James G. Carson

Ackd. City & County San Francisco 15th March 1870
Before James G. Carson N. P.

Recorded 5 March 1870
Liber 17 Deeds pp 491-92

removed see page 113

Alfred Robinson Stmp 50 cts Canceled
To
Edward J. Pringle

Deed

Dated 4 March 1870

Cons. $500

Does grant bargain and sell unto the said party of the second part and to his heirs and assigns forever, All that certain piece or parcel of land situate in the County of Santa Clara State of California being part of the Rancho San Juan Bautista and bounded and described as follows to wit; Commencing at a Sycamore tree marked "A" on the banks of the Los Gatos Creek, running thence in an Easterly direction along the line of land formerly belonging to Mary Jane Bassham and a continuation of the same until it strikes the fence formerly erected by Wm R Bassham and 10 feet beyond the said fence, being 2500 varas; thence at right angles varying West parallel with said fence and ten feet beyond 1000 varas to a

stake marked "B", thence at right angles varying North in a Westerly direction 1.800 varas to the Arroyo de Los Gatos aforesaid; thence down the said Arroyo to the place of beginning, containing 3 1/2 acres more or less, and being all the tract of land now occupied by the party of the first part

(Signed) A Robinson (Seal)

Witness

James G. Carson

Ack'd City & County San Francisco 4. March 1870
Before James G. Carson N.P.

Recorded 5 March 1870
Liber 17 Deeds pp 69

Edward J. Pringle Stamp $5.00 Cancelled
To
Alfred Robinson

Deed

Dated 5 March 1840

Cons. $5.00

Do grant bargain sell and convey unto the said party of the second part and to his heirs and assigns forever All that certain piece or parcel of land situate in the County of Santa Clara, State of California being part of the Rancho San Juan Bautista and bounded and described as follows to wit; Commencing at a Sycamore tree marked "A" on the banks of the Los Gatos Creek, running thence in an Easterly direction along the line of land formerly belonging to Mary Jane Bassham and a continuation of the same until it strikes the fence formerly erected by Wm. R. Bassham and ten feet beyond the said fence, being 2500 varas thence at right angles varying West parallel with said fence and ten feet

beyond 1000 varas to a stake marked B thence at right angles varying North in a Westerly direction 1800 varas to the Arroyo de Los Gatos aforesaid; thence down the Arroyo to the place of beginning containing 342 acres more or less and being the same tract of land now occupied by the party of the first part

Witness

James G Carson

Ack'd at City and County San Francisco
5 March 1850

Before James G. Carson N. P.

Recorded 27 August 1850
Liber 18 Deeds pp 361

E. W. Burr and
Benjamin D. Dean
To
Edward J Pringle

Deed of Reconveyance

Dated 30. September 1871

Recites that the indebtedness secured to be paid by the Deed of Trust executed by Edward J. Pringle to us E. W. Burr and Benjamin D Dean recorded in the County Recorders Office of the County of Santa Clara State of California in Liber 17 of deeds at page 72 is fully paid

Cons. $1.00

Do hereby grant remise release and reconvey unto the said Edward J. Pringle his heirs and assigns all the Estate and interest derived to us by or through said deed of Trust in the lot of land situated in the said County of Santa Clara described therein

Habendum "without any warranty" to E. J. Pringle his heirs and assigns forever

(Signed) E. W. Burr Seal Trustee

Benj D Dean (Seal) Trustee

Ack'd. at City & County of San Francisco
30th September 1871
Before James G. Carson N. P.

Recorded 11 October 1871
Liber 21 Deeds pp 529

Edward J. Pringle and Alfred Robinson

Stamp $2 Cancelled

To

Lewis J. Hanchett

Deed

Dated 3 October 1871

Cons. $19.900.

Do grant bargain and sell unto the said party of the second part and to his heirs and assigns forever, all that tract or parcel of land situate in the County of Santa Clara State of California, commencing at a Sycamore tree marked "A", thence running in an Easterly direction along the line of land formerly belonging to Mary Jane Bassham and a continuation of the same until it strikes the fence formerly erected by Wm. R. Bassham and 10 feet beyond the said fence being about 2500 varas. thence at right angles varying West parallel with said fence and ten feet beyond 1.000 varas to a stake marked "B" thence at right angles varying North in a Westerly direction

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1800 varas to the Arroyo de Los Gatos, thence down the said Arroyo to the place of beginning containing 3041 acres of land more or less. and being a portion of the Rancho San Juan Bautista and all the tract or parcel of land now occupied by the said parties of the first part

(Signed) E A Robinson (Seal)
Edward J. Pringle (Seal)

Signed, sealed and delivered in presence of the Grantees name written Hanchett before execution

A. W. Barman

(?) Witness to signature of Edward J Pringle
James G. Carson

State of California
City and County of San Francisco } S.S.

On this 10th day of October A.D. 1871 before me James G. Carson a Notary Public in and for said City and County duly commissioned and sworn personally appeared Arthur W Barman, personally known to me to be the person whose name is subscribed

to the annexed instrument as a witness thereto, and made proof to me that he resides in the City and County of San Francisco that he personally knows Alfred Robinson the same person described in and who executed the annexed instrument as a party thereto, and that the said Alfred Robinson signed sealed and delivered the said instrument, and that the said Alfred Robinson acknowledged to the said Bowman that he the said Robinson executed the same freely and voluntarily and for the uses and purposes therein mentioned and that he the said Bowman thereupon signed his name as a subscribing witness thereto. Witness my hand & seal on the day and year in this Certificate first above written

(?)

Official Seal

James G. Larson N P

Ack'd by Edward J Pringle at City and County of San Francisco 10 October 1871
Before James G. Larson N P
Recorded 11 October 1871
Liber 21 Deeds pp 530

Taxes

County & State

1870.1 Suit commenced Jany 24th & on 30th Summons issued The following entry of payment is on the Tax Role "Paid District Attorney March 2/72"

1871.2 Not assessed to Pringle Robinson Hanchett or unknown owners and not on delinquent list

1872-3 assessed to J. E. Hanchett paid

1873-4 " " L. J. Hanchett paid

1874.5 assessment Roll in hands of Board

No Judgments

San Jose

Santa Clara County

July 9th 1874 4 O'clock P. M.

E. J. Cox

Searcher of Records

Continuation
of
Foregoing Abstract

Lewis J. Hanchett

To

The State Investment and Insurance Company a Corporation

Mortgage

Dated July 16-1874

Covers said Tract of 371. acres, describing same.

To secure the payment of $20,000, in 12. Months, with interest at 10. per cent per annum.

Recorded Aug 12. 1874

Book 13. Mortgages p 1.

released see p 119

The State Investment and
Insurance Company,
a Corporation,
To
Lewis J. Blanchett.

Release

Dated April 13. 1876

Whereas in and by the By-Laws of the State Investment and Insurance Company it is among other things provided that the President of said Company shall have power to execute all releases or satisfactions of Mortgages held or owned by said Company and to execute all receipts and acquittances.

The State Investment and Insurance Company does certify that a certain Mortgage dated July 16-1874, executed by Lewis J. Blanchett, to said Company, and recorded in Book 13 of Mortgages, page 1, Aug 12, 1876, together with the debt is fully paid, satisfied and discharged.

(Signed) The State Investment and Insurance Co.

Corporate Seal

By A. J. Bryant
Vice President (Seal)
Charles H. Cushing Secy (Seal)

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Clok'd Apl 13-1876

Before Holland Smith N.P.
San Francisco

Recorded June 22-1876

Book 6. Releases pl 387

Taxes

1874-75 Paid
1875-76 "
1876-77 Assessment not complete

No Judgments

San Jose July 25th 1876
3 o'clock P.M.

Sam P. Howes
Searcher of Records

Continuation
of
Foregoing Abstract.

Lewis J. Hanchett.
To.
Alexander H Rutherford.

Power of Attorney

Dated July 8. 1874.

Make constitute and appoint Alexander H Rutherford of the City and County of San Francisco, my true and lawful Attorney for me and in my name place and stead and for my use and benefit, to ask, demand sue for, recover and receive all sums of money debts and demands whatsoever which are now due and owing or which shall hereafter become due owing or demandable to me &c xxx
And to lease let demise bargain sell remise release convey mortgage and hypothecate lands tenements and hereditaments upon such terms and conditions and under such covenants as he shall think fit xxxx
And also for me and in my name and as my act and deed to sign seal execute deliver and acknowledge, such deeds covenants indentures agreements mortgages, hypothecations &c.

Full power of substitution and revocation.

Acknowledged July 8. 1874

Before John Hamill N. P

City and County of San Francisco

Recorded Aug 12. 1874

Libro B, of Powers of Atty. pp 599.

Lewis J. Hanchett
by his Attorney in fact
A. H. Rutherford
To
Henry Epstein

Mortgage

Dated July 22. 1876.

To secure payment of $15000 00/100 in one year after date, with interest at 1¼ % per month until Jany 22. 1877 and 1% per month thereafter until paid. Interest to be due and payable monthly in advance
Counsel fees 5% &c.

Cross
property in question

Acknowledged July 31. 1876
by A. H. Rutherford as Attorney in fact of L. J. Hanchett.
Before James L. King N. P.
City and County of San Francisco

Recorded Aug 1. 1876
Libro 20 of Mortgages pp 515

L. J. Hanchett.

To.

C. X Hobbs.

Deed

Dated May 4. 1877.

Cons $30,000 00

Grant bargain sell and convey unto the said party of the second part and to his heirs and assigns forever, the following described real estate situated in said County and State to wit.

<The property in question>

Acknowledged May 4. 1877

Before Chas H Wilcox N.P.

Recorded May 4. 1877.

Book 45 of Deeds pp 53.

L. J. Hanchett
To
Return Roberts

Deed

Dated June 5. 1877.

Cons $1000 00

Hereby grant bargain sell and convey to said Roberts all that certain water rights and privilege fully described in a deed of conveyance, dated Nov 3. 1869 wherein Edward Pringle is Grantor and the said San Jose Water Co is grantee said instrument being of record in the office of the County Recorder of Santa Clara County in Book C of Miscellaneous records to which said instrument reference is hereby made for a full description

Acknowledged June 5. 1877
Before C. N. Thorne N P.

Recorded Nov 27. 1877
Liber G of Miscellaneous pp 400

L. J. Hanchett.
by Wm. A January Tax Coll &c.
To.
B. P. Rankin

Certificate of Tax Sale.

Dated Feby 28. 1878.

Cons $372 21/100

For State and County Taxes 1877-8.
Assessed to L. J. Hanchett - In San Jose Township. 371 Acres of land bounded North by Los Gatos Creek. East by County Road South by land of Kerr, West by land of Ware, Smith, and Keller

Recorded April 11. 1878.
Libro 1 Certificates of Tax Sales pp 328.

The above certificate of sale was assigned by B. P. Rankin to Return Roberts, and recorded in Book G of Miscellaneous page 523 -

On Margin
Redeemed this 1st day of Feby 1879.
by Henry Epstein
W. B. Hardy Recorder
by A. S. Williams
Deputy

C X Hobbs.

To.

L. J. Hanchett.

Deed

Dated May 25. 1878.

Cons $10000 00/100

Grant, bargain sell and convey unto the said party of the second part and to his heirs and assigns forever all that certain tract and parcel of land, situated in said County and State, described as follows.

The follows description of Property in question and other property.

Acknowledged May 25. 1878.

Before J. L. Knapp N. P.

Recorded May 25. 1878.

Libro 49. of Deeds pp 209.

L. J. Hanchett

To.

Charles W. Fox.

Mortgage

Dated May 25. 1878.

To secure payment of $225 20/100 in six months after date with interest at 1% per month payable monthly or compound 5% Counsel fee.

Covrs.

Property in question and other property

Acknowledged May 25. 78.

Recorded May 25. 78.

Libr 30 of Mortgages pp 288.

Twentieth District Court.
Santa Clara County

Henry Epstein
vs.
L. J. Hanchett and
C. W. Fay.

Lis Pendens

Dated Feby 18/79.

Notice of action for foreclosure of a certain mortgage dated July 22. 1876 L. J. Hanchett to Henry Epstein and recorded in the office of the County Recorder of Santa Clara County, State of California on the first day of August 1876 in Libr 20 of Mortgages pp 515. et seq, and that the premises described in said complaint and affected by this suit and described as follows to wit;
[describes property in question]

[signed] B. P. Rankin
Attorney for plaintiff

Recorded Feb 18. 1879.
Libr 1 of Lis Pendens. pp 751.

Twentieth District Court
Santa Clara County

Henry Epstein
vs.
L. J. Hanchett and
C. W. Fox.

Case # 5577.
Reg J p 65.

1879.

Feby	18	Complaint filed to foreclose Mortgage dated July 22nd 1876. Covering property in question
"	"	Summons issued
"	24	Alias Summons issued
March	12	Summons filed on return, shows personal service on defendant C. W. Fox. March 11. 1879 at the City and County of San Francisco by the Sheriff of said City and County. also affidavit of personal service on defendant L J Hanchett at the County of Santa Clara Feby 26. 1879 by B P. Rankin
"	"	Demurrer of defendant C. W. Fox. filed
"	13.	" " " overruled
"	"	Default of defendant L. J. Hanchett entered
"	"	" " " C W Fox. "
"	"	Decree of foreclosure and sale filed Judgment entered, Roll filed Judgment docket No
"	"	Order of Sale issued [Not on Register]
Apr	17	" " " returned " " "

Shows sale of property in question. Apr 7 1879. to Henry Epstein, for $18.576.$\frac{16}{00}$

Twentieth District Court
County of Santa Clara.

Henry Epstein
vs.
L. J. Hanchett et al.

Certificate of Sale.

Dated April 7. 1879.

Cons$ 18576 16/100

Certifies; that by virtue of an Order of Sale &c issued out of the above named Court in the above entitled cause March 13. 1879 &c in favor of Henry Epstein and against L. J. Hanchett and C W Fox for the sum of $16,445= debt and $1816 21/100 Counsel fees and Costs &c. xxxx advertised the same &c as required by law and that on the 7th day of April A D 1879 the same was sold by me at public auction to Henry Epstein for the sum of $18576 16/100 &c that said sale was duly made at the Court House door in the City of San Jose &c at Two o'clock P M. The following is a description of said property so sold. viz – (Here follows a description of the property in question) And that said sale will become absolute at the expiration of six months from this day unless said real estate is redeemed at which time the purchaser will be entitled to a conveyance, pursuant

to law unless the said property shall be redeemed as aforesaid

<signed> N. R. Harris Sheriff &c.
by B. F. Brewham
under Sheriff

Recorded April 11. 1879.
Libr 1 Certificates of Sale pp 534.

L. J. Hanchett and
Chas W Fox
by W R Harris Sheriff &c.
To
Henry Epstein

Deed

Dated Oct 8. 1879.

Cons $18576.16

Recits; decree and order of sale March 13. 1879 by Twentieth District Court of State of California in and for the County of Santa Clara in a certain action therein pending for the foreclosure of a certain mortgage and lien upon the premises hereinafter described, in favor of said Epstein and against said Hanchett and Fox, order issued March 13. 1879.- &c - And Whereas in pursuance of said Order of sale I did duly levy on, and on the 7th day of April A.D. 1879 at Two o'clock P.M. at the Court House door in the City of San Jose in said County of Santa Clara in said State I did duly sell the premises hereinafter described at public auction according to law, to Henry Epstein for the sum of $18576.16 I having first given due notice of the said sale by publication of the said time and place thereof and of the description of said property &c xxxx
Whereupon I the said Sheriff after receiving

from said purchaser the said sum of money so bid as aforesaid gave to him such certificate of said sale as is by law in such case directed and required &c And Whereas six calendar months have fully elapsed without any redemption of the said premises having been made, Now therefore I the said W. R. Harris Sheriff of the said County of Santa Clara in pursuance of the said Order of Sale and the Statute in such case made and provided &c Grant bargain sell convey and confirm unto the said Henry Epstein his heirs and assigns the real estate in said Order of Sale described as follows: to wit.

<Here follows description of the property in question>

To have and to hold the said above mentioned and described premises with the appertenances unto the said Henry Epstein his heirs and assigns forever, as fully and absolutely as I the said W. R. Harris, the Sheriff aforesaid, as such Sheriff can may or ought by virtue of said Order of Sale and of the Statute in such case made and provided to grant bargain sell convey and confirm the same

Acknowledged Oct 10. 1879.

by W. R. Harris as Sheriff &c.

Before James R Lowe N. P.

Recorded Oct 10. 1879.

Libr 53 of Deeds pp 87.

Twentieth District Court.
Santa Clara County.

Charles W. Fox
vs.
L. J. Hanchett and
Margaret Hanchett.

Lis Pendens.

Dated March - 1879.

Notice of action for foreclosure of a certain mortgage executed and delivered by the defendants to plaintiff on the 25th day of May 1878, and recorded in Book 30 of Mortgages page 288 et seq.

Affects. Third lot of land containing about 372 Acres of land situated on the Arroyo de los Gatos <and other property>
All of which lands are fully described in said mortgage, to which and the said record thereof reference is hereby made for a full and exact description thereof, and bring all the lands described in said mortgage

<signed> B. P. Rankin.
Attorney for plaintiff

Recorded March 20. 1879.
Libr 1 of Lis Pendens pp 756

Twentieth District Court.
Santa Clara County.

Charles W Fox
vs.
L. J. Hanchett and
Margaret Hanchett

Case # 5617
Reg J p 105.

1879.

Mch 20 Complaint filed to foreclose mortgage dated May 25. 1879. [Covering property in question]

" " Summons issued

" 21 " filed on return, on which there appears endorsed an affidavit of personal service on defendants L. J. Hanchett and Margaret Hanchett. in the County of Santa Clara by Chas F Wilcox,

" 31 Default of defendants entered

Apr 1 Decree of foreclosure and sale of mortgaged premises filed,

" " Judgment entered — Roll filed

" 4 Order of Sale issued [Not on Register]

May 23 " " " filed on return Do.

Shows sale of property in question May 6. 1879. to Chas W. Fox. for $1.000 00

Twentieth District Court.
Santa Clara County

Charles W. Fox.
vs.
L. J. Hanchett et al

Certificate of Sale.

Dated May 6. 1879.

Cons $21000 00

Certifies; that by virtue of an Order of Sale issued out of the Clerks office of the Twentieth District Court, April 4. 1879. &c in favor of Charles W Fox and against L. J. Hanchett and Margaret Hanchett for $24 876 26 debt and $5003 15 Counsel fee Costs &c x x x x x x advertised the same &c as required by law and that on the 6th day of May A D 1879 the same was sold by me at public auction to Chas W Fox for the sum of $21000 00 &c that said sale was duly made at the Court House door in the City of San Jose &c at 2 o'clock P.M. The following is a description of the property so sold, to wit, [Here follows a description of the property in question and other property]
The property was sold to Chas W Fox as follows, 3d the 372 Acres of land on the Los Gatos Creek for $1,000 00 [Land other property at various prices]
And that the said sale will become

absolute at the expiration of six months from this day unless said real estate is redeemed, at which time the purchaser will be entitled to a conveyance pursuant to law unless said property shall be redeemed as aforesaid

<signed> N. R. Harris Sheriff.
by B. F. Branham
Under Sheriff.

Recorded May 22. 1879.
Liber 1 Certificate of Sales pp 560.

L. J. Hanchett and
Margaret Hanchett.
by W. R. Harris Sheriff
To
Charles W. Fox.

Deed

Dated Nov 8. 1879.

Cons $21,000 00

Recitis; Decree and order of Sale. April 1. 1879 by Twentieth District Court of the State of California, County of Santa Clara in a certain action therein pending for the foreclosure of a certain mortgage and lien upon the premises hereinafter described, in which said action Chas. W. Fox was Plaintiff and L. J. Hanchett and Margaret Hanchett were defendants in favor of said Chas W Fox and against said L. J. Hanchett and Margaret Hanchett.

Order of sale issued out of said Court April 4. 1879. And whereas in pursuance of said Order of Sale. I did duly levy on and on the 6th day of May A D 1879. at 2 o'clock P M. at the Court House door in the City of San Jose in said County of Santa Clara in said State, did duly sell the premises hereinafter described, at public auction according to law to Chas. W. Fox &c for the sum of $21000 00. I having first given due notice of the said sale by publication of

the said time and place thereof &c.
Whereupon I the said Sheriff after receiving from said purchaser the said sum of money so bid as aforesaid, gave to him such certificate of said sale as is by law in such case directed and required
And whereas six Calendar months have fully elapsed since the making of said sale, without any redemption of of the said premises having been made. Now therefore I the said W. R. Harris Sheriff &c in pursuance of the said Order of Sale and the Statutes in such case made and provided, and for and in consideration of the said sum of $21000 00 &c.
Grant, bargain, sell, convey, and confirm, unto the said Chas W Fox his heirs and assigns, the Real Estate in said Order of Sale described as follows, to wit;
<Here follows description of property in question and other property>
To have and to hold the said above mentioned and described premises &c unto the said Charles W Fox his heirs and assigns forever as fully and absolutely as I the said W. R. Harris Sheriff can may or ought by virtue of the said Order of Sale and the Decree therein cited and of the Statute in such case made and provided to grant bargain sell convey and confirm the same.

<over>

Acknowledged Nov 8. 1879
By N R. Harris as Sheriff &c.
before James R Lowe, N. P.

Recorded Nov 10. 1879.
Liber 53 of Deeds pp 267.

L. J. Hanchett and
Henry Epstein
To
Alfred E. Davis

Deed

Dated March 24. 1880

Cons $5.00

Grant bargain and sell convey and confirm unto the said party of the second part his heirs administrators and assigns forever the exclusive right and privilege without control or hindrance to one (1) flowing inch of water to wit; the right to appropriate and use one (1) inch of water, water measurement, that is to say a stream of water one (1) inch in diameter to be taken from the main pipe or acquaduct flume or conduit of the San Jose Water Co with the right to tap said Companys main pipe acquaduct flume or conduit and connect the same with a service pipe one (1) inch in diameter and to have the full supply and use of water from said main pipe or conduit to its full capacity without charge said attachment or connection of said pipe conduit or other apparatus to be made at any point where the said party of the second part may desire to make the same upon the land of Ware or within one (1) mile thereof, with the right to change

the point of connection whenever the said party of the second part may elect.

The rights herein granted are the same rights reserved and withheld by C. J. Pringle from said San Jose Water Co. and which were conveyed and conceded to said Pringle by said Company, by an Instrument, dated Nov 3. 1869. and recorded in the office of the Recorder in and for the County of Santa Clara in Libr 18 of Deeds. p 132 et seq.

Acknowledged by both parties March 24. 1880
Before James L. King N.P.
City and County of San Francisco

Recorded March 25. 1880.
Libr 56 of Deeds pp 91

Taxes

State and County.
From 1876-7 to 1879-80. Paid.

Judgment Liens
None.

San Jose July 21. 1880.
at 10 o'clock P.M.
Mitchell Phillips
Searcher of Records
23½ First St.

Opinion

Upon examination of the foregoing abstract, we find, that the fee to the land described, is in Henry Epstein.

The Sheriff's deed to Foy, dated Nov 8th 1879, conveyed to him only the right of redemption, which right has expired; as it was not used within six months from the date of the Sheriff's deed to Epstein, which was on the 8th day of October 1879.

The right to use an inch

of water from the main pipe of the Water Company, mentioned in the deed of Pringle to the Water Company, dated Nov 3d 1869, we find, has by mesne conveyances been transferred to, and is now the property of Alfred E Davis

July 21st 1880

McKisick & Rankin
Attys &c

Continuation of the Foregoing Abstract

as to

The Same Property

As shown by the official records of the

County of Santa Clara, State of California.

SUBSEQUENT TO JULY 21, 1880 at 10 o'clock A.M. Closing our examination on May 24th, 1890 at Nine o'clock A.M.

Henry Epstein

TO

Theophilus Kirk and

Socrates Kirk

DEED

Dated July 22, 1880.

Cons: $20,000.00

Does grant, bargain, sell and convey unto the parties of the second part and to their heirs and assigns forever, all that certain tract or parcel of land, situate in the County of Santa Clara, State of California, and described as,

Commencing at a sycamore tree marked "A" on the bank of the Arroyo de Los Gatos, running thence in an Easterly direction along the line of land formerly belonging to Mary Jane Bassham, and a continuation of the same until it strikes the fence fomerly erected by Wm. R. Bassham, and 10 feet beyond thesaid fence, being 2500 varas; thence at right angles varying West parallel with said fence and ten feet beyond, 1000 varas to a stake marked "B"; thence at right angles varying North in a Westerly direction 1800 varas, to the Arroyo de Los Gatos aforesaid; thence down the said Arroyo to the place of beginning. Containing 372 acres, more or less, and being a part of the Rancho San Juan Bautista.

This conveyance is subject to the taxes for the current year.

The land above described has been known of late years as the "Hanchett Ranch."

SAN JOSE ABSTRACT COMPANY
SAN JOSE, CAL.

Acknd. July 23, 1880.

Before J.E.Brown, N.P.

Recorded October 4, 1880.

Liber 57 of Deeds, page 194.

NOTE:

On February 15, 1881, an action was commenced in the Superior Court of the State of California, in and for the County of Santa Clara, Department 1 Case 6291, by W.H.Ware T. Kirk and S. Kirk, O. C. Wells, L.C.Casey and Daniel Ross against Robert Walker, Hanah Quinn, John Doe Quinn, her husband, Ellen Rosanna and Catherine Redding, to obtain an Injunction perpetually enjoining the defendants, their agents, servants and employees from interfering in any manner with a water ditch extending from a point on the Arroyo de los Gatos, on the lands occupied by defendants in a Northerly direction along the South Easterly side of said Arroyo through the lands of plaintiffs and defendants, or preventing in any manner or way whatever the waters of said Arroyo from flowing into or through the same.

An injunction was issued on same day and returned and filed on February 16, 1881, showing due service on defendants.

After various proceedings had, a judgment was rendered on August 18, 1882 in accordance with the prayer of the Complaint.

On January 26, 1883, an order denying motion for a new trial was entered.

On February 26, 1883 an Appeal was taken,and on October 30, 1886, a Remittitur from the Supreme Court affirming Judgment with costs, was filed.

Theophilus Kirk and
Socrates Kirk
TO
Frederick Smith

DEED

Dated January 4, 1882.

Cons: $10.

Grant, bargain and sell, convey and confirm unto second party, his heirs and assigns forever, all that piece of land lying and being in the County of Santa Clara, State of California, and described as follows:

Beginning at the common corner for lands of Kirk Brothers and W.H.Ware in the centre of Los Gatos Creek (old channel) at a stake marked K.S. from which a sycamore 12 inches in diameter marked B.T.K.S. bears S. 66° E. 87 lks. and a witness post marked W.P.K.S. standing on high South bank of the Los Gatos Creek bears S. 28 1/2° E. "139" chs. and running thence along the fence line between lands of W.H. Ware and F. Smith on the West and lands of Kirk Bros. on the East, S. 28 1/2° E. 34.09 chs. to a stake marked F.S.3 standing in a corner of fence and at foot of a"6"x"6" fence post F.S.3 and from which the south East corner of Smith's barn bears N. 59 1/2° W. 276 lks.; thence along said cross fence N. 54° E. 1.48 chs. to a stake marked K.S.4 at foot of picket K.S.4 thence leaving said fence and running parallel to the first course N. 28 1/2° W. 34.28 chs. to the intersection with a fence on high South East bank of Los Gatos Creek at a "6"x "6" fence post marked K.S.2; thence along said fence line N. 49° W. 0.97 chs. to a corner of said fence at a stake marked K.S.1 at foot

SAN JOSE ABSTRACT COMPANY
SAN JOSE, CAL.

of "6" x"6" fence post K.S.1 and from which a sycamore 10 inches in diameter marked B.T.K.S.1 bears S. 42 1/2° W. 14 lks. thence leaving said fence and running S. 12 3/4° W. 1.67 chs. to the place of beginning.

Containing 5.4/100 acres and being a part of the Kirk Tract (formerly Hanchett Tract) in the Rancho San Juan Bautista.

Courses true. Var. 16 3/4 E.

The right is hereby reserved to run a ditch through the land hereby conveyed at any point the said first parties may select for the purpose of conveying the waters of the Los Gatos to their premises and orchard lying East of the land hereby conveyed, and the right is hereby reserved to enter said premises at any time to repair or re-locate the said ditch and it is hereby understood by and between the parties hereto, that said second party acquires no right of ownership or of use in said ditch or in the water flowing or to flow in the same, the said second party agrees to build the division fence at his own expense and after the same is built the said first parties to be the owners of one half thereof without charge or expense.

Acknd. by all parties January 4, 1882.

Before James B. Capp, N.P.

Recorded May 4, 1882.

Book 62 Deeds, page 146.

SAN JOSE ABSTRACT COMPANY
SAN JOSE, CAL.

IN THE SUPERIOR COURT OF THE COUNTY OF SANTA CLARA,

STATE OF CALIFORNIA.

A.E.Davis, Plaintiff

VS

Theophilus Kirk and

Socrates Kirk, Defendants

L I S P E N D E N S

Dated May 24, 1884.

To forever quiet the title of the plaintiff as against the defendants and each of them, to certain water rights and privileges acquired by one E.J.Pringle from The San Jose Water Company, by deed recorded in Book 18 of Deeds, page 132 et seq. records of said County of Santa Clara, and from said Pringle passed through mesne conveyances to this plaintiff, and to forever enjoin the defendants from asserting any claim to the same and for costs and general relief.

(Sgd) B.P.Rankin and

Chas. F. Wilcox,

Attys. for plaintiff.

Recorded May 24, 1884.

Liber 2 Lis Pendens, page 322.

CASE NO. 7040 REG. L. PAGE 305.

DEPT. NO.2

1884	
May 24	Complaint filed.
May 24	Summons issued.

SAN JOSE ABSTRACT COMPANY
SAN JOSE, CAL.

1884	
May 24	Summons returned, served and filed.
July 1	Answer of defendants, disclaiming any right or title to the water and water rights described in complaint, filed.
July 1	Findings filed.
July 1	Judgment filed. Ordered, Adjudged and Decreed that plaintiff is sole and absolute owner of all those certain water rights and privileges as described in Complaint and Lis Pendens herein and quieting plaintiff's title thereto as against the said defendants and each of them. (Sgd) D. Belden, Superior Judge.
July 1	Judgment entered. Judgment Book L, page 624.
July 1	Roll filed. Judgment Docketed.

TAXES

STATE AND COUNTY

372 acres, mor or less, Narvaez Rancho, property of T. Kirk and S. Kirk.

Fiscal Years	
1880-1881 TO 1889-1890	Paid
1890-1891	A Lien.

The foregoing CONTINUATION consisting of pages 140 to 148 inclusive, closed May 24, 1890 was made at SAN JOSE, CALIFORNIA, in the month of September 1913.

SAN JOSE ABSTRACT COMPANY.

BY F. P. Edwards

Manager.